

area, where there could be 30 billion or 40 billion barrels of oil, but America's politics has said no, and America's consumers have suffered. Then we work our way down the coast, down through California and all the other areas where the politics of those areas say, no, you can't drill here, and yet we believe there are trillions of cubic feet of gas and potentially billions of barrels of oil.

I have worked on the Energy Committee of the Senate since 1990. I have watched as others have worked with me and watched American consumers and the oil industry of our country becoming increasingly dependent on foreign sources. In 1990, it was about 40 percent dependency, and then 42 and then 45 and then 50 and then 55 and then 60. At the peak of this summer's consumption, upwards of maybe 65 percent of our oil was coming from those unstable political regions of the world where, at any moment, a terrorist attack or the bombing of a ship could spike the oil market because the supply would diminish, and that is why we saw \$70 a barrel for oil in speculative prices.

At just the moment when we are doing lease sale 181, the new discovery happens in the gulf, and the market recognizes that \$20 worth of speculation on risk goes away, and American consumers are beginning to recognize the value of being less dependent on foreign oil.

A very wise admiral a long time ago fought a very important battle with the politics of America and the politics of an old-style Navy, and his name was Rickover. He said: As long as our surface and subsurface Navy is dependent upon refueling with diesel fuel all over the world, we will not be free and independent. The politics of that was very rigorous. In 1982, Admiral Rickover delivered a speech before Columbia University where he talked about the battles he fought to develop the first Nautilus nuclear-powered submarine. He said that the political battle to get the submarine was more difficult than the design of the submarine itself.

Well, that was then, and that was many years ago, and most of us have forgotten that political battle because what we now know is that most of our Navy, both subsurface and surface, is nuclear powered. From the time the new nuclear Navy vessel is built, slides from the drydock into the water, and begins its mission around the world, it is never refueled.

The PRESIDING OFFICER (Ms. MURKOWSKI). The majority's time has expired.

Mr. CRAIG. Madam President, I ask unanimous consent to continue for 5 additional minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. So that Navy vessel never has to pull into a port anywhere in the world to refuel itself. It is totally independent. It can travel the

world. It can go into the Indian Ocean where it would be very difficult to refuel a diesel-powered vessel, and it sails on. That is why we are the dominant naval power of the world today, because of the vision of a man years ago who said: We must be independent—dependent of energy sources for our Navy.

Why can't America demand energy independence for all of us? Can you imagine what would happen in our economy today if the hundreds of billions of dollars that are paid for oil from Iraq, from Kuwait, from Venezuela, and other unstable political areas of the world simply didn't have to be paid? Instead we would pay producers in our country for developing the resources that our country still has in the no-zone. Can you imagine our strength as a country? Can you imagine our foreign policy if we didn't have to recognize that we had to work to keep certain areas of the world stable because they are a source of our energy, they are a source of our very heartbeat as a country? They are the very source of the heartbeat of the economy of our country.

The recent discovery in the deep waters of the gulf proved the point and proved it loudly, and the markets reacted, and the consumers are benefiting today.

This President gets it. He understands it. It is why his first task as a President when he came to power was to develop an energy task force and to lay out for the Nation a national energy strategy that would move us toward energy independence. Oh, the gnashing of teeth, the ringing of hands that occurred on the floor of the Senate: We dare not drill in ANWR. We dare not go here. We must not do this.

During the course of all that rhetoric we became increasingly dependent upon unstable political areas of the world for our oil. And the American consumers began to pay the price a couple of years ago when gas went above \$2 and then \$2.10 and then 50 cents more and then \$2.80 and, of course, this summer over \$3 a gallon.

America's farmers today are now paying \$3.20 to \$3.50 a gallon for diesel, and they can't control their input costs. Many of them are finding themselves in financial difficulty because of the cost of diesel or the cost of fertilizer because, of course, it takes natural gas to produce fertilizer and nitrogen and phosphates.

America, wake up. America, get on your phone and call your Congressman and call your Senator and say: No more no-zone. Allow us to develop our resources and to do so in an environmentally sound way because we now have the technology. We proved it in the shallow waters of the gulf a decade ago. We are now proving it in the deep waters of the gulf as we speak.

Clearly, America could be energy independent. There is no question about it. The ability of the farmer to produce corn that is developed into

ethanol, the ability of our country to drill in the no-zone says that America could once again stand unafraid around the world as it relates to the political stability of the oil development and the oil-producing regions of a very unstable world.

The reason we are dependent today is politics, plain and simple. The reason the Senator from Alaska continually argues for the responsible and environmentally sound development up here in the northern reaches of Alaska is because we can do it and do it right, and there are billions of barrels of oil up there and trillions of cubic feet of gas. And America, once again, as Admiral Rickover understood decades ago, can be independent as she stands for other causes around the world.

What a difference a day makes. What a difference one oil find makes because that new Chevron oil find and that new trend in deep water may well increase our oil reserves by 25, 30, 40, 50 percent. What would happen if we were doing the rest of the development in this area, if we were doing the gas development up through Virginia and along the east coast, if we were developing offshore in California, if we were developing in the ANWR in Alaska?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CRAIG. Madam President, the reality is very simple and very obvious. It is all at the pump, and the American consumer, I hope, has awakened to the reality of what a difference a day makes in the price of gas and the impact on their family budget and their pocketbooks. Let's drill and develop the no-zones.

Madam President, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### SECURE FENCE ACT OF 2006— MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 6061, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to H.R. 6061, an act to establish operational control over the international land and maritime borders of the United States.

Mr. CRAIG. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EMERGENCY FARM RELIEF ACT OF 2006

Mr. CONRAD. Madam President, I rise today to speak briefly about the legislation I introduced earlier this month, the Emergency Farm Relief Act of 2006. This bipartisan legislation now has 22 cosponsors in the Senate. As I have indicated, it is fully bipartisan. We have a strong representation from both parties in the cosponsorship of the legislation. It is designed to provide much needed relief to producers who have suffered from natural disasters in 2005 and 2006.

Let me direct the attention of my colleagues to the headlines from across my State last year. These headlines talk of massive flooding. In fact, last year in North Dakota, over 1 million acres could not be planted at all. Hundreds of thousands of additional acres were planted and then drowned out.

"Heavy Rain Leads to Crop Disasters."

"Crops, Hay, Lost to Flooding."

"Area Farmers Battle Flooding, Disease."

"Rain Halts Harvest."

"ND Anthrax Outbreak Grows."

These were the headlines all across my State.

"ND Receives Major Disaster Declaration."

While we recognize that in 2005 the worst disasters were in the gulf—Hurricane Rita and Hurricane Katrina—there was another part of the country hit by disaster, little noticed, and that is my part of the country.

Last year, every county was declared a disaster by the Secretary of Agriculture. This is what we saw last year: massive flooding all across North Dakota, especially eastern North Dakota. In fact, at one point I went up in a plane and flew over southeastern North Dakota, and from horizon to horizon, all I saw was water. It was extraordinary, the worst cross-land flooding we have suffered perhaps in our history. It got virtually no attention except by those who experienced it. As I indicated, there were a million acres that were prevented from even being planted. They couldn't plant. They couldn't get in the field even to plant. We suffered an extraordinarily serious disaster last year.

Now, irony of ironies, this year we are suffering from drought. The scientists tell us this is the third worst drought in our Nation's history. This drought extends right now through the center of the country.

This is from what is called the U.S. Drought Monitor. It is a scientific evaluation of drought conditions in the country. It goes from abnormally dry to exceptional drought. The dark brown is exceptional drought. That is the most severe category. You can see the epicenter of this drought is right in North Dakota and South Dakota. Now the entire State of North Dakota is considered in drought condition. In our State, it goes from severe to excep-

tional drought. We don't have just abnormally dry or moderate; we are severe to exceptional drought in every part of our State.

This is the headline from the Grand Forks Herald in July of this year:

"Dakotas Epicenter of Drought-Stricken Nation."

Experts say the dry spell is the third worst on record. In our entire history, this is the third worst drought, only eclipsed by the 1930s and an earlier period.

In July, Senator DORGAN, Congressman POMEROY and I, our Governor, and the agriculture commissioner of North Dakota went on a drought tour. This is what we found. This is a pasture in Grant County. It is virtually worthless for grazing. I could show picture after picture of what we saw.

One of the most amazing things we found was a corn crop that was irrigated—irrigated corn, and the kernels had not formed. Why? Because not only have we had drought but we have had extreme heat. These are the temperatures for the month of July in North Dakota. All of those in orange are over 90 degrees, many of them over 100 degrees. You can see in the second week of July: 96, 101, 105, 94, 101, 105. But the real tale is told on July 30, when in my hometown it reached 112 degrees. That is why even irrigated corn did not produce.

Here is a picture from a Burleigh County cornfield. This is corn in the southern part of Burleigh County, which is my home county. You can see there is virtually nothing growing. It is like a moonscape. These are the conditions we faced all across North Dakota.

It is true that there are some places that had good crops, if you just had the right mix of weather conditions, even though there was drought. Perhaps they had irrigation or for some other reason they had a good crop, but much of North Dakota has been devastated. I am told by the bankers of our State that if we do not get help, 5 percent to 10 percent of the producers in North Dakota will be forced off the land. That is how severe this crisis has become.

During the August recess, I organized a drought rally in Bismarck, ND. Hundreds of farmers and ranchers came from all across the State. Our Governor attended, as did Senator DORGAN and Congressman POMEROY and our agricultural commissioner. The message was loud and clear: If there is not assistance that is meaningful, if it does not come soon, thousands of farm families are going to lose their livelihood. That is the reality of what we confront.

In late August, the Secretary of Agriculture traveled to South Dakota. He proposed there a program that is totally and completely inadequate. The program he proposed is mostly money that is already in the budget. It is not new money, just a shuffling of the deck.

On September 12, the Secretary notified me that all North Dakota counties

had been designated as primary disaster counties for the 2006 crop year. Why aren't we satisfied? Because all that makes available are low-interest loans. This crisis is so severe that more loans are just going to drive people deeper into debt and are going to further pressure them off the land.

On September 12, when the Secretary notified me that all North Dakota counties had been designated as disaster counties, it was also the day I was joined by hundreds of farmers from across the country, dozens of Senators—colleagues from the House and Senate—at a press conference only a few yards from here. Thirty-four national farm organizations have announced that they are asking Congress to provide this disaster relief which is contained in my legislation; 34 national organizations have united behind my legislation.

So the question before the Congress of the United States is, Will we act and will we act in time? I pray that this Congress will act, and I pray we will act in time. If we fail, thousands of farm families will be forced off the land and will lose their livelihoods. That is the reality we confront. That is why Senator NELSON and I have come to the floor today. All I can do is ask colleagues to remember that when the Gulf States suffered horrendous disasters in Hurricane Katrina and Hurricane Rita, all of us came to help. We are asking for that same consideration now, as the center of the country suffers from truly a devastating drought.

I will yield the floor, but before I do so, if I could just say to my colleague, Senator NELSON, I thank him for his leadership, as he has repeatedly pressed for this assistance to pass. I think we should say for the record that this assistance has passed in the Senate twice already, by overwhelming margins. In fact, there was an attempt to take it out of one of the supplemental appropriations bills and 72 Senators voted for it. Seventy-two Senators voted to keep it in. So there is strong bipartisan support in the Senate.

Our problem has been that the President has issued a veto threat, and the House of Representatives so far has upheld that veto threat by refusing to consider the Senate legislation. We believe we should give them one more chance because now this drought disaster has deepened and been joined by, of course, the effects of Hurricane Ernesto, which did enormous damage in North Carolina and Virginia, right up to Maryland.

Now is the time. People need help. They deserve it. This disaster assistance will only give help if people have suffered a loss of at least 35 percent. This doesn't make them whole. They would still suffer enormous losses. But at least it would give them a fair, fighting chance.

I want to repeat, you only get help under this legislation if you have suffered a loss of at least 35 percent. It is not too much to ask that we provide

this kind of assistance to those who have suffered natural disaster. This is not regional legislation, it is national legislation. Anyone, anywhere, who has suffered a loss of at least 35 percent would be eligible for some assistance.

Again I acknowledge the leadership of my colleague from Nebraska who has been so persistent and so determined to get help to our producers.

I yield the floor.

Mr. NELSON of Nebraska. Madam President, I ask unanimous consent to speak as if in morning business about S. 385, the Emergency Farm Relief Act of 2006.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Nebraska. Madam President, I thank my colleague from North Dakota for his support and for his continuing interest and efforts to bring this to a conclusion.

I came to the floor last week as well in an attempt to provide much needed emergency relief to our Nation's farmers, ranchers, and rural small businesses that have been devastated by the long running drought that I have nicknamed Drought David. Some have asked why did I give it a name. A drought, unlike a hurricane or a flood, is a slow-moving disaster that can linger over the course of years. In some places, Drought David is celebrating its fifth birthday, and in other places it is celebrating its seventh birthday. But by giving it some identity, we hope we can give it the same kind of identity that is very often given to a hurricane which is named. It is not just a storm—it is Hurricane Ernesto or Katrina. I felt that giving this continuing drought a name would help give an identity so people could focus on this being a natural disaster, a devastation of major economic proportions to large areas within our country that can have the same impact in terms of economic loss which very often a hurricane will cause in its wake.

At this time, I ask a simple question of the Senate: If not now, when? When will this Senate provide the relief needed by our Nation's farmers and ranchers? Unfortunately, my question was answered last week by the procedural tactics to block an up-or-down vote.

So, today, I have two questions to ask my colleagues: If not now, when? And, most importantly, if not now, why? Why do we refuse to provide relief to farmers and ranchers suffering from this particular natural disaster when we provide relief, as we should, to others for natural disasters like hurricanes? Is relief from the Senate seriously based solely upon the sensational nature of the disaster and the news reports of the disaster? If a Drought David were able to grab the headlines like a hurricane, would relief be constantly and consistently blocked?

That is not acceptable to the farmers and ranchers I know, and it is not acceptable to me—and I am sure it is not acceptable to a majority of my colleagues in the Senate.

As Senator CONRAD has pointed out, at least on two occasions, we have already voted to provide this kind of relief, and now procedurally it is being blocked.

Last week, I told the Senate about the damage this drought has caused to farmers and ranchers in Nebraska. As my colleague has indicated, in the State of North Dakota, the damage is considerable.

I told the Senate last week about how the drought has caused \$342 million in damage so far this year for Nebraska alone.

Keep in mind this is in many cases 5 or 7 years old. The multiples are pretty clearly tremendously important to the State of Nebraska. Still the Senate has refused to act.

Last week, I talked about how the drought forced farmers in Nebraska to spend an extra \$51 million just for irrigation costs during this summer. Still, the Senate refused to act.

Last week, I talked about how just this year the drought has cost Nebraska farmers \$98 million in crop losses and \$193 million in livestock production losses. And still, the Senate refused to act.

Senator CONRAD and I and many of our colleagues have put together a comprehensive package to provide emergency funding to farmers and ranchers who suffered weather-related production shortfalls, quality losses, and damage to livestock and feed supplies. Our bill also helps farmers overcome the losses they suffered because of energy price spikes after the hurricane last year.

I warn my colleagues again that the devastating impacts of the drought threaten to drive many of our farmers and ranchers out of business. We no longer can expect family farmers to make a go of it day in and day out with these ongoing losses. People have said that maybe the Crop Insurance Program would be able to provide the kind of assistance that is required. No crop insurance program can ever provide year in and year out for a 5-year or a 7-year period of losses. It is not designed to do that, and it is not priced to do that. It is not equipped to do that, and actuarially it simply won't work. It would be the equivalent of insuring your house, and every year for 5 years the house burned. You rebuild it, it burns; you rebuild it, it burns. No insurance program is designed nor will it function to take care of that kind of loss.

Without our farmers and ranchers, we cannot expect to continue to secure our national food supply. And without our farmers and ranchers, we cannot hope to grow our domestic production of alternative renewable fuels.

Again I ask, if not now, when? If we fail to act and by our inaction we allow farmers and ranchers and rural businesses to dry up under the devastating impact of the drought, then we have failed not only those farmers and ranchers and small businesses, but we

have also failed our Nation because we will have failed to ensure our food and fuel security.

This is why I ask my second question: If not now, why? I think our farmers and ranchers deserve more than procedural gimmicks. They at least deserve answers from this body about why they will not get the relief they so desperately need.

I have spoken to my friend and colleague, Senator HARRY REID, and he has informed me that no one on the Democratic side of the Senate is going to block or will block an up-or-down vote on this relief.

I hope today as we ask this question for the consideration of this body we will make a bipartisan effort to bring about relief to these parts of the country that are undergoing such devastating losses.

I ask again, if not now, why? Surely the Senate can spare an hour of its day to consider this issue and certainly to vote for farmers and ranchers and rural businesses that help this Nation and the world and of whom we are asking to provide more and more of our Nation's fuel supply as well. Surely, we can find some time to vote for providing them the relief they need. I think they deserve at least that much.

That is why I am prepared to continue to fight for this relief and continue to work to get relief out to our farmers.

I know my colleague and others are also joining in that. One way or the other, I will work to get this done. If nothing else, I am going to continue to fight to get this emergency relief included in any continuing resolution that Congress will have to pass before it leaves in a week.

I ask my colleague from North Dakota if he needs to have any more time yielded to him.

UNANIMOUS-CONSENT REQUEST—S. 3855

If not, I ask unanimous consent that the Agriculture Committee be discharged from further consideration of S. 3855, the emergency drought assistance bill, and that the Senate then proceed to its immediate consideration, the bill be read a third time, and without further intervening action or debate the Senate proceed to vote on passage of this bill.

The PRESIDING OFFICER. On behalf of the Senator from Alaska, I will object. Objection is heard.

Mr. CONRAD. Madam President, I know that the occupant of the Chair is acting as a representative of her party, whatever her particular position might be. I want to lay it out on the record because I know the Chair can't explain her own position. She is precluded by the rules from doing that. We don't hold the Chair personally responsible in any way for this objection. We understand that she is required to do so. Any occupant of the chair would be so required. It is probably important to put that on the record.

Madam President, we deeply regret that there has been objection raised.

We deeply regret that we are not given the chance to pass legislation which has already passed this body twice before but that has been blocked because the President has threatened a veto and the House has so far gone along with his threat.

Again, the Senate has acted twice in overwhelming numbers to pass drought relief. Goodness knows it is needed.

I was home just this last weekend. I was all across the northern tier of North Dakota. In every location, farmers came to me, ranchers came to me, and said: KENT, is there not an understanding in Washington what is happening here? Does no one care? If there is no response and if it does not come soon, thousands of us are going to be gone.

One of the most prominent bankers in my State, I say to my colleague from Nebraska, came to me this weekend and said: KENT, if there is not disaster relief, 10 percent of the farmers in my portfolio are going to be out of business. They will not get financing. They will not even get financing to go into the fields next year.

One of the farmers said to me: It has been 5 years since I had a normal crop.

Between this extraordinary flooding, these extraordinary droughts—and I don't pretend to know whether global warming or global climate change is part of this. What I do know is something is happening that is absolutely extraordinary in our part of the country. We have gone from massive flooding to massive drought this year. Flooding and drought of that proportion has never been seen before in my State—or at least rarely seen. On the drought monitor, they say this is the third worst drought in our Nation's history.

We need to act. We are not asking to make people whole. They will not be made whole by our disaster relief bill. They only get help if they have at least a 35-percent loss. Then the help only comes to the losses over that amount.

We are not asking to make people whole. We are not asking that people have some big windfall. We are asking that people be given a fair fighting chance.

That has been denied today. But today is not the end of the story. We are going to come back. Again, we want to acknowledge this body has twice overwhelmingly passed disaster assistance. We appreciate that. Our problem is not in this body. Very frankly, our problem is in the other body and at the White House. That is where our problem lies.

I again want to thank very much my colleague from Nebraska for his steadfast leadership on this issue. That is so important to the people we represent.

Mr. NELSON of Nebraska. Madam President, let me also acknowledge that the objection entered was not a personal objection by the Senator from Alaska but one procedurally required of her in her capacity.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Madam President, I ask unanimous consent to speak for up to 20 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Thank you, Madam President.

#### ENERGY INDEPENDENCE

Ms. LANDRIEU. Madam President, I come to the floor to speak about an equally important issue to many of our States and follow up on the earlier comment by my colleague from Idaho on energy independence for the Nation, and the importance of that at this particular time to the Gulf of Mexico, America's only energy coast and an area that I need not have to explain again is in one of the most challenging situations of its entire history.

I want to associate myself with the remarks of the Senators from Nebraska and North Dakota regarding the drought.

We have had similar droughts, amazingly, in our State, even with the hurricanes. But as Senators who represent farm State communities, agriculture is very important to the State of Louisiana. We have been in a situation that they have been in. I know people think of us as a State with a lot of rain, and obviously a target for hurricanes, but we have also been stricken by serious drought.

The point of my comment about what was said is this: Sometimes things happen out of the ordinary, extraordinary situations, as they have just described, which deserve an unprecedented and extraordinary response.

I know we in Washington deal with that very well because we like everything that is sort of in the box, but we also don't like everything to kind of be one way. The fact is, when serious, extraordinary circumstances happen, we need to make a quick and appropriate response. It is most certainly appropriate for these Senators to come to the Senate and ask for a quick and immediate response to part of our Nation. This drought is not just, of course, in Nebraska and North Dakota. The pictures have shown pockets of severe and unprecedented drought, and whether it is because of global warming or whether it is just because of the severe weather patterns caused by something else, we can debate that until the cows come home. The fact is we have farming communities, rural communities, suffering right now. They need our best effort. I support seeing what we can do to help.

#### NATURAL GAS IN THE GULF OF MEXICO

I will speak this morning for a few moments about an issue which is almost equal to the concern of farmers in America; that is, the price of natural gas. Farmers, like many industry groups, use natural gas. In their case, fertilizers are produced using a lot of natural gas, and fertilizers go into the farmers' fields.

Natural gas is also used as a raw material to create virtually 50 percent of the products created in American gas. And we have a great shortage. It is driving the price high, historically high—not the highest it has ever been but historically high prices.

The only way we can get the price of gas down—and we need to; that is what the Senator from Idaho spoke about, energy independence and stabilizing prices—is to increase the supply and to make the supply sources more diverse so industries, if the price of gas is high, can use coal, or if the price of coal is high, they can use oil, or if the price of oil is high, they can use alternative fuels or ethanol.

We have been in a mad dash against time to expand our source of fuels and to increase the supply, where we can, in the most environmentally sensitive way possible. It has been a debate which has gone on for decades. It will continue to go on for decades because some States produce gas, some produce oil, some produce coal, and some do not produce any of that and have nuclear powerplants and think that is the way to go. Some of us have more wind than others, some of us have more sun than others.

This is a debate which is natural in a democracy. Just because it is difficult does not mean we have to stop trying. We have to press forward on the issue of a greater supply and greater independence for America. We are dangerously dependent on foreign sources of oil and gas.

Madam President, 72 Senators—unprecedented in this day of partisanship, in this day of not even being able to agree on the time of day or the weather conditions outside—72 Senators came together under the leadership of Senator DOMENICI, the chairman of our Energy and Natural Resources Committee. The Presiding Officer serves on that committee and has been a wonderful voice of reason for the Senate. We passed a bill to open more supplies of gas in the Gulf of Mexico.

The Senator from Idaho showed a much larger and more colorful chart. I thought his looked terrific, and I will ask to borrow it one day, but I do not have it at this moment and this chart will suffice. It shows areas that are basically off of production. The white areas off the Atlantic coast, the coast of California, and around Florida have not been open to production for the last 35 years. There are many reasons—some of them good and some of them not good—we can't drill in these areas.

We will continue to debate for decades to come what to do off the shores of Washington, Oregon, California, Florida, Georgia, South Carolina, North Carolina, Virginia, New Jersey, Connecticut, Massachusetts, New Hampshire, Vermont, and Maine. That debate will go on for the next many years. I will be on one side of that debate, and my colleagues will be on the other. I believe you can access resources appropriately. However, we are

not going to resolve that issue in the next week. We are not going to resolve that issue in the next month. I predict we will not resolve that issue for the next year. However, we have farmers in the Dakotas, Nebraska, Louisiana, Texas, Mississippi, Alabama, and Kansas who are desperate for gas now. They cannot wait 10 years or three decades until we figure out the politics of drilling on the Atlantic and Pacific coast. They need help now.

For Congress to be able to help them and not help them is a crime. For Congress to be able to help them and not help them is a crime, it is a shame. It should not stand.

We have the political support and the votes now—among Democrats and Republicans in the House and the Senate, today—to open more drilling in the Gulf of Mexico. We have not been able to open sections in the gulf because of disagreements between Florida and Alabama for decades. Because of the good work of the Senators from Alabama, Mr. SHELBY and Mr. SESSIONS, and the good Senators from Florida, Mr. MARTINEZ and Mr. NELSON—they worked for months in the most difficult of political situations to come up with a way to open more oil and gas drilling in the Gulf of Mexico, a place that everyone agrees has tremendous reserves, that everyone agrees is where we should drill. There are no fights among Texas, Louisiana, Mississippi, and Alabama. Now Alabama and Florida have come to agreements. Their Governors have agreed. Their general political establishments have agreed—not unanimously but the vast majority.

We are here, a week until we leave, and we are going to do nothing—that is what some people say—because it is not good enough. I don't know what school of politics or leadership they came from. All I know, as a leader, you take things a step at a time. You cannot change the world in 1 day. You have to change it a little bit at a time. It takes time to educate people and to talk to them about the benefits. I have taken as many Senators as will go with me out on the rigs. I took the Secretary of the Interior out there to show him. It takes a while to take a lot of people out there. They are busy. They have other things on their minds. We are doing the best we can to try to educate people all over the country about the benefits.

We started drilling offshore in the 1940s. The first well was a little town in southwest Louisiana called Creole. It was just basically washed away in the hurricane. The brave little town, Creole, LA, put the first well offshore about four decades ago. The industry has blossomed since then.

The purple spots on this chart represent pipelines of natural gas. But the purple spots represent more than pipelines; they represent jobs, economic hope, and economic strength of the greatest Nation on Earth. Without these pipelines, without this gas, we

cannot produce hardly anything in the United States of America—from plastics, to manufacturing, to steel, to electricity. We keep the lights on in North America. We are proud of it. We want to do more of it. We can do more of it.

We have a bill and the political leadership to open the gulf, but some people around the Capitol do not want to do that until we figure out the politics of drilling off the coast of California—I suggest that is going to take a little more than a few weeks—or until we figure out the politics of drilling off the Atlantic coast. I suggest that is going to take a little bit more work. I am willing to do the work. I have done a lot of the work for the last 10 years. I am continuing to do the work. It is not going to happen in the next month.

Meanwhile, our manufacturing cannot stay competitive with China. With cheap oil and cheap gas coming in from other parts of the world, they are laying off workers, unable to make long-term capital decisions because this Congress can't figure out, this leadership can't figure out how to get a bill passed that opens gas and oil in the Gulf of Mexico. It would not be opened without a bill. It can't open without a bill.

Maybe in the “plan”—lots of things are in a plan. I have plans for my house, to decorate. That is not to say it is going to get done because there is someone else in my house—my husband—who has ideas of his own about how this works. Just because you have something in a “plan” doesn't mean it is going to happen. Just because MMS has these things in their plan does not mean it will happen, but it could happen with a bill that we could pass. If our bill is law, obviously it will make it happen.

I will show the picture of the gulf here. This is what the Gulf of Mexico looks like. These are active wells. The bigger picture was white spaces with no one else drilling. These are all the drills, the yellow are the leases, and these are the active wells. We are producing 30 percent of the Nation's needs from here. We are proud to do it. We will keep doing it.

There is still a lot of white space we could open. That is what we are trying to do—open a little off the Alabama shore, give Florida the buffer they have asked for. Some people do not agree with that, but we had to come to terms with the situation in Florida. Their State is divided on this issue. Some people in Florida want to drill, some people don't want to drill. This was a compromise, as is everything here, and we figured out a way to give Florida a buffer, open up some more oil and gas drilling.

The next chart shows the area we came up with after a lot of work. This lease sale that we could open opens up 9 million new acres of oil and gas. This will not solve my colleagues' problem, Senators KENT CONRAD and BEN NELSON, it will not solve their drought

problem, but it will give relief to farmers everywhere when the gas prices come down and the oil and gas starts coming on line.

To put the 9 million acres in perspective—and the Presiding Officer will know this better than anyone—we have fought for 40 years over whether to open ANWR, and ANWR is 6,000 acres. And our debate for 40 years has been about whether to open 2,000 acres.

Our bill—and we have 72 Senators, Democrats and Republicans, led by Senator DOMENICI—will open 9 million acres. But some people around the Capitol don't think that is a significant step. They do not think that 9 million acres makes a difference. They just think this is nothing and we should keep working until we can get everything opened, and they are sure that will happen next year.

I will share the national membership list of the Consumer Alliance for Energy Security. There are probably 100 or more organizations, led by corporations, nonprofit organizations, agriculture, chemical, consumers, manufacturers—the list goes on. It is a very broad-based list. It is not just an industry list; it is retailers, et cetera—the national Chambers of Commerce, the Forestry Association, environmental organizations that understand this country is at great risk unless we open access, that understand we need to do it a step at a time. We are making progress, but we have to take this a step at a time. We want to take this step now.

I ask unanimous consent to have this list printed in the RECORD to indicate that this group is on the record wanting greater access on the issues I am speaking about.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### CONSUMER ALLIANCE FOR ENERGY SECURITY NATIONAL MEMBERSHIP LIST

Albemarle Corporation; Adhesive and Sealant Council, Inc.; Advanced Service Corporation; Agriculture Energy Alliance; Agriculture Retailers Association; Air Liquide; Air Products; Aluminum Association; American Forest & Paper Association; American Gas Association; American Fiber Manufacturers Association; American Iron and Steel Institute; American Public Gas Association; Arizona Chamber of Commerce; Arkema Inc.; Ashland Inc.; Associated Oregon Industries; Associated Oregon Loggers; Bayer Corporation; Bowater.

Carousel Promotional; CF Industries; Chemtura Corporation; China Mist Tea; Ciba Specialty Chemicals; Citation Homes; Colorado Agri-Business Association; Colorado Association of Wheat Growers; Colorado Farm Bureau; Concerned Pastors, Church of God in Christ; CoTransCo; David J. Cole & Associates; DeGreen Wealth Management Corporation; Dow Corning Corporation; DTE Energy; Duane Ankeny, Mining Co.; DuPont; Eastman Chemical; East-Lind Heat Treat, Inc.; Energy Links Incorporated.

ESAB Welding & Cutting; Executive Energy Services, LLC; Financial Energy Management, Inc.; General Equipment & Supply; Glassman & Associates; Greater Metro Denver Ministerial Alliance; Greenville Free Medical Clinic; Guardian Industries; Harnes

Homes; Hawkeye Renewable Corp.; Holmes Murphy Insurance; Industrial Energy Consumers of America; International Paper; International Sleep Products Association; Iowa Farm Bureau; Iowa Health Systems; Iowa Manufactured Housing Association; ITWC, Inc.; J & K Realty; James Insurance Solutions.

Kirk Engineering and Natural Resources, Inc.; Lansing Regional Chamber of Commerce; Latco Development; Latham Hi-Tech Hybrids; Living Waters Christian Center; McAninch Corporation; MeadWestvaco Corp; Michigan Agribusiness Association; Michigan Chemistry Council; Michigan Farm Bureau; Michigan Floriculture Growers Council; Michigan Forest Products Council; Michigan Manufacturers Association; Milliken; Montana Chamber of Commerce; National Paint and Coatings Association; Nestlé Prepared Foods Company; Northwest Food Processors Association; Northwest Gas Association; Northwest Industrial Gas Users.

Oregon Association of Nurseries; Oregon Cattlemen's Association; Oregon Dairy Farmers Association; Oregon Farm Bureau; Oregon Forest Industries Council; Oregon Seed Council; Oregon Small Business Coalition; Oregon Wheat Growers League; Oregonians for Food and Shelter; PPG Industries, Inc.; Panel Components Corp.; Pellett Petroleum Co.; Piedmont Natural Gas; Pipkin Mortuary; Praxair, Inc.; Promotional Authority; Printing-Industries of America; Quad County Ethanol; Resource Supply Management; Rhodia.

Rhom and Haas Company; Rubber Manufacturers Association; SC Chamber of Commerce; SC Forestry Association; Simkins Company; Skogman Realty; South Carolina Farm Bureau Federation; South Carolina Manufacturers Alliance; Southwest Gas Corporation; Springs Global; Steele Financial Services; Sully Cooperative Exchange; Terra Industries; The Carpet and Rug Institute; The Dow Chemical Company; The ESCO Group; The Soap and Detergent Association; The Society of the Plastics Industry, Inc.; The Timken Company; Thombert, Inc.; U.S. Steel; Van Diest Supply Company; West Central Cooperative.

Ms. LANDRIEU. But I want to go back to this 9 million acres. This will not open without our bill. It may be in the plan, but it is under moratoria. This section is under moratoria. It cannot be lifted with a magic wand. The only way it can be lifted is if we pass a bill to lift it. If we do not pass a bill, it will stay closed, and the oil and gas companies that have pipelines in the gulf, that have the infrastructure in the gulf, that have the expertise in the gulf will not be allowed to drill there. Meanwhile, prices go high, we lose manufacturing, everybody loses jobs in their States, and we wring our hands here saying we cannot do anything.

Well, we can do something. Chevron did something pretty big last week or 2 weeks ago. Chevron and some of its partners discovered a major oil and gas find, as shown here on the map. Look how small this is. It is just one of these little dots, just one of them. It is so tiny on the map, but it is so huge. This one discovery of Chevron called the Jack Rig—the Jack find—and several right here in the deep water of the Gulf of Mexico will double the reserves of the country's oil.

It is a significant find. It is as significant as finds in Saudi Arabia. It is sur-

prising, in some sense, to some people who thought we drilled everything we could in America. But the fact is, Americans are a pretty smart group of people. And our partners around the world, with whom we make partnerships, can usually figure things out pretty well. With the right incentives and the right ingenuity and with necessity, we can find oil and gas in places we never thought we could.

This well is 28,000 feet deep. They found oil and gas here that is going to be a great help in the event we continue to have problems in the Mideast, if we continue to have problems in Venezuela. It does not look very promising there to me right now.

This is one small, little dot. It is probably not more than—I am not sure—maybe a couple hundred acres. So when people say to me: Senator, your bill or Senator DOMENICI's bill that opens 9 million acres does not do anything—and I look at what the Jack Rig did, which is right here—I have to tell them I don't buy their argument, and I don't think the American people do.

Opening more area in the Gulf of Mexico where the infrastructure is, where we have proven reserves—and because the information is proprietary—and you can understand why it is proprietary because this is a competitive business. All we can find out, according to the geologists who made this discovery, is that they think they have tapped into a "fairway"—which is the way it was quoted in the newspaper—a "fairway" of oil and gas, ready reserves within our grasp in the area that is used for drilling, with people who know how to work on the rigs, in a political environment that is safe.

And we cannot, and will not, before we leave next week, take this step because we have to wait to open drilling all over America off the coast? I do not think that is a wise decision. I think we should take the steps now that we can take, establish revenue sharing, which is part of the bill for Texas, Louisiana, Mississippi, and Alabama and allow these States to be full and equal partners in sharing the benefits of these resources because we most certainly share the burdens of pipelines, that while we are proud of them, they most certainly have an erosion factor.

Our wetlands are being lost at an alarming rate—I have spoken about that many times—not just because of the impacts of oil and gas, which are somewhat contributory to this situation, but mostly because this mighty Mississippi River, which also serves the Nation's economy in a very significant way, has been leveed over the centuries, and it cannot overflow like it used to. So the land cannot replenish itself. And so it continues to subside. And with global warming, it is now exacerbated. But that is not the subject of this talk.

We will put our money to great use in Louisiana. Every environmentalist should be very happy to know that our

money is going to be used to protect and preserve this great wetlands, which is an enormous treasure for the Nation, and one that gives so many benefits, and, most importantly, with the recent hurricane, it helps protect great cities, and not just Louisiana communities, but it also protects Mississippi. We are happy to protect our neighbors when we can.

This wetlands protects the gulf coast, and we need to get it restored for the benefit of both the States of Mississippi and Louisiana. And it creates some buffers, obviously, to Alabama, should the storm come this way. It will hit us first before hitting Mississippi or Alabama, and our wetlands reduce that surge. Having said that, we need to press on with a pro-production bill in the Gulf of Mexico, laying the foundation, as Senator DOMENICI has suggested, for revenue sharing.

Now, I would like to read into the RECORD statements that have been made by Republican Senators, not Democratic Senators, although I do have some of those I could read into the RECORD. But for the purposes of this debate, they are statements by Republican Senators who strongly support the Senate version, and why they support the Senate version, because I want to communicate that some people on the other side or some people in the Capitol and other people are saying it is just the Democrats who are stopping this broader drilling bill, and if Democrats would just get their act together, we could get it done.

Nothing could be further from the truth. There are some Democrats opposed to the broad drilling bill, but there are many Republicans here opposed to the broad drilling bill.

Let me read one of the statements. And I am sure Senator GRAHAM from South Carolina would not mind me restating his own speech on the floor of the Senate. He said, on August, 2—this is Senator LINDSEY GRAHAM, Republican from South Carolina:

I do support passage of S. 3711, but I do not support the bill passed by the House of Representatives earlier this year. The careful compromise that is the Senate bill cannot be found in the version passed by the House. I will not support any legislation that opens South Carolina's coast to drilling for oil. . . . I . . . encourage my colleagues in the House that if they are truly serious [they will live to the framework of the Senate bill].

Now, he said "for oil." He may be willing to open it for gas. I will grant you that. And the House bill allows a choice between oil and gas. But, like I said, that debate is complicated. It is multistate. It will take much longer than the week we have, much longer probably than even next year. And the need is immediate and the need is great.

I know my colleagues have come to the floor, and I asked for 20 minutes, so I am going to wrap up my remarks in about 1 minute to give others an opportunity to speak.



Let me quote from Senator MARTINEZ, a Republican Senator from Florida:

I will take a moment to thank [the House] for their diligence and vigilance. [I will thank the House Members for their good work. But at this time] I cannot support the House version. I have had clear assurances from our leaders [here in the Senate] that we are committed to working from the framework of the Senate bill. That has been important to me, and while I respect the hard work of our House colleagues [on this subject]—

And we have some great leaders in the House, both Republicans and Democrats—those are my words. He goes on to say:

and their autonomy as a body of Congress—  
He says he respects that, but we must prevail in the Senate version.

Senator WARNER said:

Many of my colleagues have expressed concerns about the Gulf of Mexico bill, and they stem from what is in the House bill. They said they do not want to lift the moratorium as the House bill would do.

So even Senator WARNER, who supports drilling off the coast of Virginia and has made his position clear, understands there is still work to be done in order for that to happen.

Mr. President, in conclusion, let's not make the perfect the enemy of the good. Let's not tell our agricultural community, our manufacturing community, our utilities, our petrochemical industry to wait when we have a bill that will open 9 million acres of gas and oil, provide great companies such as Chevron and others the opportunity—both big oil and independents that create a lot of jobs—to explore more here safely off our coast.

It increases our economic strength. It produces jobs immediately. It lowers energy prices for all consumers. And it does make our Nation more secure.

I am going to close with this: I do not know how my colleagues feel about being beholden to the politics of the Mideast right now. I do not know how my colleagues feel about being beholden to the politics going on in Venezuela. I do not feel comfortable with it. I do feel comfortable about the politics of Louisiana, Mississippi, Alabama, and Texas. They are Americans. And we have our deal together. We want to drill for all Americans, for the security of our Nation.

Please, allow us to give this country more oil and gas. Please allow us to lower prices. And let's take it a step at a time. I promise my colleagues—the Senator from Pennsylvania knows very well the people in Pennsylvania need relief. I say to the Senator, they cannot wait another year or two. They need it now. He knows that well. He has been a strong advocate for his people in Pennsylvania. But we have to open this up now. And we will come back and work offshore Alaska, offshore maybe some of these other States, when their Governors and when their legislators and when their political leadership can get their neighborhoods together.

But the neighborhood of the gulf is together. Our Governors are together. Our Senators are together. And our people are together. We want to do this for America. Please let's do it.

I yield the floor.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from Pennsylvania.

#### ENERGY SECURITY

Mr. SANTORUM. Thank you, Mr. President. I will pick up where the Senator from Louisiana just left off, and congratulate her for her energetic support for energy security in this country. This is a huge issue. It is actually the reason I came to the floor to talk today, to talk about energy security. I am going to talk about a comprehensive approach I am introducing today, and a big part of that comprehensive approach is the passage of the legislation the Senator from Louisiana has talked about in addition to additional things she has talked about that we would like to do. If we could do them this year, great, let's try to do them this year.

Let's try to do more OCS this year. But let's get done as much as we can this year. Let's, if we can, pass the Senate bill. If there are additional provisions we can accomplish this year to—the Senator from Alaska is here behind me. The Senator from Louisiana mentioned the Commonwealth of Virginia. Let's try to get those done. Maybe there are some other things we can add, maybe in different pieces of legislation, to move this ball forward. There are conference reports that are going to be coming out, and it is not unheard of to place a little tidbit or two in a conference report. Let's sit down and have serious negotiations and discussions with the House to try to get as much as we possibly can without walking out of here empty handed.

So I would very much like to see that done. I congratulate the Senator from Louisiana, as well as all of those who have stepped forward—the chairman of the Energy Committee, obviously, Senator DOMENICI, and Senator STEVENS, who is here on the Senate floor—for all of their efforts to try to do something that I think is vitally important.

I think the Senator from Louisiana put it in the right context. The context is that we are at war with a group of people we are funding because of the high cost of energy. Let's just be very honest about it. This is a very serious war we are involved in, and we are directly contributing huge amounts of American resources to the people who would like to destroy everything we believe. That is a country that is on a mission of suicide. We need to have more energy security because that leads to better national security.

(The remarks of Mr. SANTORUM pertaining to the introduction of S. 3926 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SANTORUM. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I commend the Senator from Pennsylvania for his comments and hope more people will listen to him. He is certainly on the right track as far as this Senator is concerned.

#### ADVANCED TELECOMMUNICATIONS AND OPPORTUNITIES REFORM ACT

Mr. STEVENS. Mr. President, I come to the floor today to remind the Senate that the Senate Commerce Committee reported to the Senate a bipartisan bill, the Senate communications bill, and it is critical that the Senate consider this bill on the floor.

It is a bill that is good for the consumer. This bill seeks to reduce phone rates for our troops overseas. This bill makes available immediately \$1 billion for our first responders. That is money that has been held in the Treasury since last December awaiting authorization for this money to be released.

This money will be used to train, coordinate, and provide interoperable equipment to those first responders. This is money they absolutely must have.

This bill creates caches of emergency communications equipment which will be located throughout our Nation, equipment that is absolutely necessary in the event of an emergency, particularly emergencies caused by terrorist activity in the future.

This bill encourages broadband deployment for consumers. We are behind the world in deployment of broadband. This bill reduces consumer cable rates, a step that is vital to assure that our people can continue to expand the use of cable in terms of communication.

This bill creates choices for consumers for both video and phone service. It is a bill to level the playing field between the various providers of communications capability for all Americans.

This bill will broaden the base for universal service. This is a concept that makes communications available to rural America which is critical, and it is critical to consider a way to make it more affordable and to make sure that the contribution required from users of our communications system is as small as possible, but at the same time meets the needs so that every American can have available communications.

I believe availability of communications is a new right for American citizens. Everyone must have the ability to learn of emergencies and have the ability to communicate.

This bill exempts the Universal Service Fund from the Antideficiency Act. That will be good for our Nation's schools and libraries that rely on universal service funding. It is necessary because of the fluctuations in the use of this fund, and it should not be considered under the Antideficiency Act.

This bill permits municipalities to provide broadband service throughout

America in both urban and rural communities. The so-called Wi-Fi concept will be expanded.

The bill expands access for the blind and hearing impaired to the voice over the Internet. VOIP is a brandnew system. It must be available to those with disabilities, as well as all other Americans.

There is wide support for the Senate communications bill. Several days ago, a letter that was signed by over 100 companies sent to our leaders was made available. These are companies involved in the manufacture, design, and construction of telecommunications networks. These 100 companies express support for our bill because it encourages broadband deployment. They support the bill's lighter regulatory approach to the concepts of net neutrality.

I ask unanimous consent that the letter be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. STEVENS. Mr. President, I want to read this. The letter is addressed to Senator BILL FRIST and Senator HARRY REID, the two leaders of our parties in the Senate. It says:

Dear Senators Frist and Reid:

As leaders in the networking and communications industries striving to produce new technologies for our nation and the world, we are pleased to support the Advanced Telecommunications and Opportunities Reform Act (H.R. 5252) as approved by the Senate Commerce Committee. It is our hope that the full Senate will approve this legislation in the very near future.

We are particularly pleased that an Internet Consumers Bill of Rights has been incorporated into this bill to address the so-called "network neutrality" issue. We believe this approach to net neutrality will ensure that consumers have access to the content of their choice.

We are strongly opposed to the adoption of mandated net neutrality regulation sought by large Internet content businesses for a number of reasons. First, the Internet has benefited greatly from the relative absence of regulatory restrictions, which has allowed content businesses to grow and prosper. Congress has wisely refrained from burdening this still-evolving medium with regulations, except in those cases where the need for policy action has been clear, and it can be narrowly tailored. This is not the time to deviate from this posture.

Second, it is too soon to enact network neutrality legislation. The problem that the proponents of net neutrality seek to address has not manifested itself in a way that enables us to understand it clearly. Legislation aimed at correcting a nebulous concern may have severe unintended consequences and hobble the rapidly developing new technologies and business models of the Internet. Third, enacting network neutrality "placeholder laws" could have the unintended effect of dissuading companies from investing in broadband networks.

We believe Congress would benefit from objective and unbiased analysis of the claims made on both sides of this debate, and that protecting consumer access while requiring the FCC to study the issue is a reasonable way to proceed.

Thank you for your leadership on this legislation. We stand ready to build the world-

class products that will be available to consumers as a result of the increased investment this bill will promote.

It is signed, as I said, by 100 companies.

By supporting this bill, because it encourages broadband deployment, they support the lighter regulatory approach to net neutrality, as I said. There has been much debate on this issue in the Senate Commerce Committee, in the House committees, on the House floor, in newspapers, and in the "blogosphere," as it is called now. But some Senators still prevent full debate on this issue on the Senate floor. It is time now for the Senate to allow debate on this bill to start. America needs this bill.

#### EXHIBIT 1

SEPTEMBER 19, 2006.

Hon. BILL FRIST,  
*Republican Leader, U.S. Senate,*  
*Washington, DC.*

Hon. HARRY REID,  
*Democratic Leader, U.S. Senate,*  
*Washington, DC.*

DEAR SENATORS FRIST AND REID: As leaders in the networking and communications industries striving to produce new technologies for our nation and the world, we are pleased to support the Advanced Telecommunications and Opportunities Reform Act (H.R. 5252) as approved by the Senate Commerce Committee. It is our hope that the full Senate will approve this legislation in the very near future.

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Thank you for your leadership on this legislation. We stand ready to build the world-class products that will be available to consumers as a result of the increased investment this bill will promote.

Sincerely,

2 Wire, Inc.; 3M Company; AC Data Systems, Inc.; AC Photonics, Inc.; Actiontec Electronics, Inc.; Active Op-

tical Mems, Inc.; ADC Telecommunications, Inc.; Adtran, Inc.; AFL Telecommunications LLC; Agilent Technologies, Inc.; Aktino, Inc.; Alcatel North America; Allot Communications; Amedia Networks, Inc.; Anda Networks; Anue Systems, Inc.; Applied Optoelectronics, Inc.; Argent Associates, Inc.; Arnco Corp.; Atlantic Engineering Group; Axerra Network.

BaySpec, Inc.; Berry Test Sets, Inc.; BTECH Inc.; Carlon, Lamson & Sessions; CBM of America, Inc.; Charles Industries, Ltd.; Ciena Corporation; Cisco Systems, Inc.; CoAdna Photonics, Inc.; Condux International, Inc.; Conklin-Intracom; Corning Incorporated; Communication Technology Services; Dantel, Inc.; Ditch Witch (The Charles Machine Works, Inc.); DSM Desotech Inc.; Dura-Line Corp.; Electrodata, Inc.; Ellacoya Networks, Inc.; Enhanced Telecommunications, Inc.

Entrisphere, Inc.; FiberControl; FiberSource, Inc.; Finisar Corp.; Hammerhead Systems Inc.; Hatteras Networks, Inc.; Hitachi Telecom (USA) Inc.; Howell Communications; Independent Technologies Inc.; Katolight Corp.; KMM Telecommunications, Inc.; Leapstone Systems, Inc.; Light Technology, Inc.; Lucent Technologies Inc.; MasTec Inc.; MBE Telecom, Inc.; Metrolite Corp.; Microwave Networks Inc.; Motorola, Inc.; MRV Communications, Inc.

NeoPhotonics Corp.; Neptco, Inc.; Norland Products Inc.; Nortel Networks Corporation; NorthStar Communications Group, Inc.; NSG America, Inc.; Nufern; OFS; Omntron Systems Technology, Inc.; OnTrac, Inc.; Optical Zonu, Inc.; PECO II, Inc.; Preformed Line Products, Inc.; Prysmian Communications Cables and Systems USA, LLC; Qualcomm Inc.; Quanta Services, Inc.; Redback Networks Inc.; Roebbelen; Sheyenne Dakota, Inc.; Sigma Designs Inc.

SNC Manufacturing Company, Inc.; Sumitomo Electric Lightwave Corp.; Sunrise Telecom, Inc.; Suttle Apparatus Corp.; Symmetricom, Inc.; Team Alliance; Team Fishel; Telamon Corp.; Telcoby.com, LLC; Telesync, Inc.; Tellabs, Inc.; Tyco Electronics Corp.; US Conec Ltd.; Valere Power, Inc.; Vermeer Manufacturing Company; Wave7 Optics, Inc.; White Rock Networks, Inc.; Xecom, Inc.; Xponent Potonics Inc.; Zoomy Communications, Inc.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I would like to make some comments regarding the pending business, H.R. 6061, the act that came to us from the House of Representatives which is titled the Secure Fence Act of 2006, the essence of which would provide the authority for the United States to construct a variety of features across large portions of our border with Mexico to prevent illegal immigration.

The point of this legislation is, of course, to follow through with a series of appropriations that we have now provided for to enhance our ability to put National Guard troops at the border, construct more fencing, construct more roads, more vehicle barriers,



more sensors, more lights, more cameras, and provide more Border Patrol to patrol this large area of our border.

The combination of all of these, personnel and infrastructure and technology enhancements, will enable us to gain effective control of our border. I am pleased that as a result of the appropriations we have passed over the last couple of years, we are now beginning to see our efforts pay off. In many areas of the border, the enhanced security is paying off. It is noticeable. I will cite some of the statistics to point that out.

I express support for this legislation because it provides a roadmap. It makes it very clear where we are going. It establishes principles by which the Department of Homeland Security can operate with the funding we have been providing and will provide in the future.

The essence of the legislation, as I said, is to provide more reinforced fencing, more physical barriers, roads, lighting, cameras, and sensors. The Secretary of Homeland Security obviously will determine the appropriate sequencing of when these things are constructed and the appropriate mix as to where you put the fencing, where you put the vehicle barriers, the sensors, and so forth. The bill itself, for example, recognizes that in mountainous areas, you would be exempt from providing some of the fencing. But the bottom line is to provide a combination of things which, in concert with personnel, will make it much more difficult for illegal entry into the United States. The net result will be that it will be much more difficult for smugglers and illegal aliens to gain entry into the country, it will significantly reduce crime rates in border towns, it will clearly improve the quality of life for Arizona and for the constituents I represent, and it will preserve the fragile desert lands and archeological resources which are being destroyed by the illegal pedestrian and vehicular traffic, again particularly along the area of the border between the State of Arizona and the area of Senora in northern Mexico.

Let me talk for just a moment about the environmental impact because that has been a matter of some concern to those who view this legislation as simply involving the creation of some kind of a wall. Now, let me make it clear. This is not a wall. Fencing, *per se*, is not a wall. In fact, part of what we would be doing here is replacing the so-called landing mat fencing, which does look like a wall, with chain link-type fencing that you can see through. There are two reasons for this. The landing mat fencing is the steel landing mats that are left over from primarily World War II that can be stood on end and welded together, embedded in concrete pilings, and represent a barrier to entry into the country. They are high and it is hard to get over them but not at all impossible. All you need is a ladder on the other side of the

fence and a willingness to fall down and maybe break an arm on this side, and a lot of people do that.

The fencing is deteriorating. It is very difficult to repair because of its age. And for the Border Patrol, they can't see through it, so it represents a disadvantage to them because they can't see who is amassing on the other side of the border. They can't see where rocks are being thrown from, and now rock-throwing has been a highly dangerous problem for members of the Border Patrol. So they would prefer to have either single or, even better, double fencing which they could see through and which is a more modern design than this landing mat fencing. So far from being a wall, what is contemplated in this legislation is exactly the opposite. It involves a fence which you can see through combined with other kinds of technology such as vehicle barriers, cameras with which we can see illegal entry, sensors with which we can detect it, and lights which help us to see.

Now, we are not going to put the fencing along the entire border, obviously. In some parts of the border, particularly near urban communities, we will extend the fencing. In other areas, the legislation contemplates vehicle barriers. This is important because in certain flat areas of the desert, a lot of vehicles are being brought across now. Ordinarily they are stolen in the United States, taken across the border, filled with some kind of contraband, be it illegal drugs or the human cargo the Coyotes pick up, and then they bring that across the border. Frequently, those vehicles are abandoned on our side of the border, representing an environmental hazard.

But what the Border Patrol has discovered is that as they have begun to get more operational control or jurisdiction over the border area because of the increased number of Border Patrol agents and vehicles and fencing and so on that we have already provided, the Coyotes and the cartels—the drug smugglers, the gangs—are fighting for this operational control of territory, and they are using weapons. What the Border Patrol tells me is that whenever they see a vehicle, they know it is a problem because it has a more valuable cargo and is likely to be defended with weapons. That is one reason they are so insistent on putting vehicle barriers in some areas of the border.

In some areas, fencing will not be appropriate, and cameras will do the job. I have been in the control rooms where we have one person able to monitor many different TV screens that represent the views of many different cameras, some of which are infrared, so you can see at night. This way, you don't have to have fencing all along the border; you have cameras which can show you what is happening. When you see groups of illegal immigrants massing on the other side of the border, preparing to cross, the person in the control area calls the Border Patrol, and

they are able to get to the location in time to stop the entry or to pick up the people and return them if they have already entered.

Again, you don't need fencing across the entire border. It is not a wall. It is not solid fencing. It is a combination of things which, working together, will enable us to secure the border.

I mentioned the environment because I think it is important for us to recognize that more fencing and these other techniques can actually help improve our environment. It does not degrade the environment. The illegal border crossing traffic has created thousands of new trails and roads on Federal lands in Arizona. I am going to submit for the RECORD the documentation of each of the things I am saying here rather than provide them orally, but for each of these comments I am making, there is documentation through hearings that have been held, through reports that have been issued, through stories that have appeared in newspapers and so on.

For example, the Defenders of Wildlife notes that since 2002, 180 miles of illegal roads have been created in the Cabeza Prieta National Wildlife Refuge alone. This is a wildlife refuge we have set aside for the pronghorn antelope and bighorn sheep and other species we want to protect, and the entry of all of these vehicles, illegally creating these new roads, is substantially disrupting the habitat, for example, for the bighorn sheep. The illegal roads divert the normal flow of water, and they rob native plant cover of the moisture it needs to survive. The proliferation of trails and roads damages the flora and fauna—the cactus, for example, and other sensitive vegetation—and disrupts and even prevents the revegetation of the area. You can see tracks in the desert that were created over 50 or 60 years ago, and it takes that long for the fragile desert to recover. That is one of the unfortunate results of all of this illegal immigration, which could be prevented with more vehicle barriers and fencing along the border.

The trails obviously create soil compacts and then erosion which, in other areas, results in damage. I have seen with my own eyes the tons of trash that is left behind. If you can imagine millions of people over the course of time trying to cross the border and leaving behind hundreds of thousands of plastic water jugs and items of clothing and elements in backpacks and the like, it is just incredible, what you see, and it creates all kinds of problems. This proliferation of trash and, by the way, concentrations of human waste, I would also note, impacts wildlife and vegetation and water quality. It detracts from the scenic qualities, obviously, and can affect human and animal health from the spread of bacteria and disease. Trash is also ingested by wildlife and livestock, which sometimes results in illness or even death of the livestock and wildlife.

In the early 1990s, over 300 wildfires were caused by campfires of illegal immigrants, which additionally poses a threat both to the environment and to human safety in these areas.

The damage is not limited to the compaction, and so on, by human traffic. As I noted, vehicles coming across create their own special set of problems. Abandoned vehicles are often left in place, and the burden of removing them falls to the Government, which has to very carefully try to get to the vehicles without creating new roads and trails and get them removed without causing even more environmental damage. If they are not removed quickly, they are often set on fire by vandals. They have fluids that leak into the watershed and into water courses. As I said, further removal causes additional damage as the tow trucks are forced to navigate previously unspoiled areas of the desert.

Interestingly, the illegal immigrants frequently take vegetation from the environment to build shelters, and by taking a lot of the ocotillo cactus, for example, they are removing a very important species from the desert to build these camouflages, drug stashes, and temporary shelters.

Also, interestingly, when illegal aliens fill water bottles in the wetland locations, it has been determined that they have actually infected these protected Federal wetlands with invasive parasites and diseases which have been carried with them in the water levels which have harmed native fish and wildlife. In fact, in a report to the House of Representatives committee, according to this report, new tapeworms and fungi have already impacted populations of endangered fish and frogs.

So when we talk about the potential damage to the environment from the fences, it is easy to see that there is far more of a benefit than a cost to creating impediments to illegal entry which is creating the kind of environmental impacts I am talking about.

Just to give one summary impact, Coronado National Forest, which is on the border in the area of Tucson, experienced the following environmental degradation from the period 1996 to 2006: 298 abandoned motor vehicles, 300 miles of significant damage to environmental resources caused by off-road vehicle use, 120 human-caused wildfires.

There is an interesting parallel with the fence which was built in the San Diego area. There was concern about the environment there as well. But not only has the construction of that triple fence in the area of San Diego virtually stopped illegal immigration in that area, it has significantly reduced crime on both sides of the border because the criminals who used to congregate in the area are no longer congregating in the area because they can't get across. The result is the San Diego fence has significantly improved the environment in the area, with grasslands coming back and the return of protected

species that hadn't been reported in the area for years. I believe all of this is an important element in that debate, demonstrating that the additional fencing and other border technology can help to prevent environmental damage.

But what of the primary purpose of the fencing to prevent illegal entry? This is important for a variety of reasons. Due to the close proximity of the border to a number of major highways in the State of Arizona, illegal immigrant and drug trafficking is often intense. When smugglers can manage to reach the roads, they often resort to excessive speed, driving without lights, and driving down the wrong side of the road to escape law enforcement. There have been a lot of injuries and deaths and attacks on Border Patrol that have resulted. We had an actual shoot-out on the freeway between Tucson and Phoenix between two rival gangs who were contesting to see who could own the illegal immigrants in the van at issue. Frequently, these vans are wrecked, overturned, and a lot of illegal immigrants are killed or injured.

In the one unfortunate case, in the town of Sierra Vista near the border, an elderly couple in the community had just gotten married—I believe it was the week before—and they were simply driving through an intersection, minding their own business, when, with excessive speed in order to avoid apprehension, a load of illegal immigrants came crashing through, hit their vehicle, and killed them both. You can imagine the sorrow as well as the anger in this small community when these wonderful people, who were known to many of the residents of the community, when their lives were extinguished right after they were married and looking forward to some very happy years because of this illegal activity. This has real impacts on people's lives in the United States, and that is another reason to end it.

We had testimony in the subcommittee which I chair—of the Judiciary Committee—Terrorism, Technology and Homeland Security, about the number of illegal immigrants who cross who are criminals or who are wanted for crimes. It isn't just a matter of keeping people from entering the United States to work. The testimony was, by the head of the Border Patrol, that now over 10 percent of the illegal immigrants apprehended coming into this country are criminals. I am not talking about immigration violations; I am talking about serious crimes such as homicide, rape, assault, kidnapping, serious drug crimes. It is not only overloading our law enforcement and court systems, but it is also creating a huge problem at the border.

The U.S. attorney for Arizona, Paul Charlton, testified that last year assaults at the border were up 108 percent. Why? Because, as I said before, the Border Patrol and law enforcement is now contesting the territory that before the cartels and the coyotes had

some degree of control over, and they are fighting back. They are fighting back with weapons, and they are also fighting back with things like rocks, which you may not think is a threat until you get hit in the head with one and are severely injured and maimed, really, for the rest of your life.

There is a lot to protect with more fencing, more vehicle barriers, more cameras, more sensors, and the like at our border. It is interesting that vehicle barriers, which are important because, as I said, whenever the Border Patrol sees a vehicle, they know they have a problem because of an important value in the load. Vehicle barriers have worked in the Buenos Aires National Wildlife area, for example, where there has been a 90-percent reduction. In the Organ Pipe Cactus National Monument there has been a 95 percent reduction in vehicle traffic. It can work. But we have to do it.

People say we have tried it and it doesn't work. We have barely started. In fact, there are almost four times as many New York City police officers as there are members of the Border Patrol. So our effort now to build up the Border Patrol, add this fencing, add the vehicle barriers, add the cameras, and all these things to the border is beginning to have an impact. It can work. We simply have to do more. That is what this legislation would provide.

I will not cite the statistics, but there is great evidence that the fencing in the San Diego area has substantially reduced the amount of illegal traffic across the border. It used to represent about half of the border crossings. It is now down to 10 percent. In the area of the triple fence, it is practically zero, I am told.

The bottom line is that we can make a substantial difference by not only appropriating the money—I saw, just a moment ago, the chairman of the Budget Committee here, and the subcommittee in charge of appropriations for this effort. The Senator from New Hampshire was on the Senate floor a moment ago. I commend him again for his efforts, primarily in the last couple of years, to make funds available to do all these things.

As I said, we are moving forward with this at the border, and it is beginning to make a difference. What the legislation passed in the House of Representatives will enable us to do is to have a clear path, a clear guideline of exactly what we are going to do. It provides discretion to the Department of Homeland Security about what exactly to do in what areas. It is not a fence along the entire border, it is a combination of these different things as the Department of Homeland Security deems appropriate. But we believe, in consultation with the Border Patrol, with local officials, that they can determine where best to put each of these assets and how to sequence their construction in such a way as to eventually gain control of the border, and that should be our first goal here: to

establish control of the border, to secure the border so we can move on with the other elements of comprehensive immigration reform which, incidentally, I support very strongly. But I think most of us agree a first step must be to secure the border.

I commend this bill to my colleagues. I hope we will be able to get cloture on Monday and we can proceed to its adoption. For those constituents in my home State of Arizona, this would be a very big benefit since over half of the illegal immigrants now entering the United States come through my State of Arizona. This is critically important for my State, but it is also important for the United States, and I hope my colleagues will join together to support this important legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD some background materials on this subject.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Nearly 50 percent of the illegal aliens crossing the southern border of the United States enter through Arizona in the Tucson and Yuma Sectors. In fiscal year 2006, more than 161,253 illegal aliens have been apprehended in Tucson Sector, and 61,974 illegal aliens in Yuma Sector. [Source: CBP].

Illegal cross border traffic has created thousands of new trails and roads on Federal lands in southern Arizona. Report to the House of Representatives Committee on Appropriations on Impacts Caused by Undocumented Aliens Crossing Federal Lands in Southeast Arizona, 107th Cong., 2d Sess. at 3 (2002).

Since 2002, 180 miles of illegal roads have been created in the Cabeza Prieta National Wildlife Refuge alone. Brian P. Segee, On the Line: The Impacts of Immigration Policy of Wildlife and Habitat in the Arizona Borderlands, Defenders of Wildlife Report 20 (2006).

Illegal roads divert the normal flow of water and rob the native plant cover of the moisture it depends on to survive. Kathleen Ingley, Ghost Highways, Arizona Republic, May 15, 2005.

The proliferation of trails and roads damages and destroys cactus and other sensitive vegetation, disrupts or prohibits re-vegetation, disturbs wildlife and their cover and travel routes, causes soil compaction and erosion [and] impacts stream bank stability. Report to the House of Representatives Committee on Appropriations on Impacts Caused by Undocumented Aliens Crossing Federal Lands in Southeast Arizona, 107th Cong., 2d Sess. at 3 (2002).

Tons of trash and high concentrations of human waste are left behind by undocumented aliens. This impacts wildlife, vegetation and water quality in the uplands, in washes and along rivers and streams. This also detracts from scenic qualities and can affect human and animal health from spread of bacteria and disease. Report to the House of Representatives Committee on Appropriations on Impacts Caused by Undocumented Aliens Crossing Federal Lands in Southeast Arizona, 107th Cong., 2d Sess. at 3 (2002). Trash is also ingested by wildlife and livestock, sometimes resulting in illness and death. *Id.* at 20.

In the early 1990s, over 300 wildfires caused by campfires of illegal immigrants posed a significant threat to human safety and wild lands along the border, as well as increased impacts to soils, vegetation, cultural sites,

and other sensitive resources. Border Security on Federal Lands: What Can be Done to Mitigate Impacts Along the Southwestern Border: Hearing Before the H. Comm. on Resources, 109th Cong., 2d Sess. at 2 (2006) (statement of Steve Borchard, Dept. of the Interior).

Vehicles used by drug and human traffickers are often damaged, resulting in fluid spills (gasoline, motor oil, radiator fluid, etc.) and spreading hazardous debris (glass, torn sheet metal, etc.) that harm the environment. Abandoned vehicles are often left in place and the burden of removing them falls on Federal law enforcement officials. If the vehicles are not removed quickly, they are often set afire by vandals, creating an even larger safety and environmental concern. Border Security on Federal Lands: What Can be Done to Mitigate Impacts Along the Southwestern Border: Hearing Before the H. Comm. on Resources, 109th Cong., 2d Sess. at 4 (2006) (statement of Steve Borchard, Dept. of the Interior).

After blazing destructive paths through the desert, large numbers of vehicles are abandoned by smugglers and illegal aliens. These vehicles emit pollutants, like gasoline, oils, antifreeze, and lead, which often soak into the ground and can reach water sources. Further, removal often causes additional damage as tow trucks are forced to navigate previously unspoiled terrain to access the abandoned vehicles. Report to the House of Representatives Committee on Appropriations on Impacts Caused by Undocumented Aliens Crossing Federal Lands in Southeast Arizona, 107th Cong., 2d Sess. at 17–18 (2002).

Illegal aliens trample the native vegetation in riparian areas in an effort to get water and uproot native plants like ocotillo cactus to build temporary shelters or to camouflage drug stashes. Report to the House of Representatives Committee on Appropriations on Impacts Caused by Undocumented Aliens Crossing Federal Lands in Southeast Arizona, 107th Cong., 2d Sess. at 15 (2002).

When illegal aliens fill water bottles in wetland locations they can infect these protected Federal wetlands with invasive parasites and diseases which can doom native fish and wildlife. New tapeworms and funguses have already impacted populations of endangered fish and frogs. Report to the House of Representatives Committee on Appropriations on Impacts Caused by Undocumented Aliens Crossing Federal Lands in Southeast Arizona, 107th Cong., 2d Sess. at 23 (2002).

Illegal aliens transport in seeds from invasive plant species. Report to the House of Representatives Committee on Appropriations on Impacts Caused by Undocumented Aliens Crossing Federal Lands in Southeast Arizona, 107th Cong., 2d Sess. at 23 (2002). And since the vehicles on the road have churned up the soil and diverted the water flow, these new plants can take root. Kathleen Ingley, Ghost Highways, Arizona Republic, May 15, 2005.

The Coronado National Forest experienced the following environmental degradation 1996–2001: 298 abandoned motor vehicles; 300 miles of significant damage to natural resources caused by off-road vehicle use; and 112 human-caused wildfires. Report to the House of Representatives Committee on Appropriations on Impacts Caused by Undocumented Aliens Crossing Federal Lands in Southeast Arizona, 107th Cong., 2d Sess. at F-5 (2002).

The construction of the San Diego fence has resulted in the return of protected species that have not been reported in the area for many years. Border Security on Federal Lands: What Can be Done to Mitigate Im-

pacts Along the Southwestern Border: Hearing Before the H. Comm. on Resources, 109th Cong., 2d Sess. at 1 (2006) (statement of Chris Ingram, Gulf South Research Corporation).

Due to the close proximity of the border to a number of major highways, illegal immigrant and drug trafficking is often intense. If smugglers manage to reach the road, they often resort to excessive speed, driving without lights, or driving down the wrong side of the road to escape law enforcement officers, resulting in accidents, injuries, and death. Border Security on Federal Lands: What Can be Done to Mitigate Impacts Along the Southwestern Border: Hearing Before the H. Comm. on Resources, 109th Cong., 2d Sess. at 4 (2006) (statement of Steve Borchard, Dept. of the Interior).

Much of the existing pedestrian barriers consist of unsightly “landing mat” wall structures that are operationally unsound, as Border Patrol Agents cannot see through them to monitor developing events on the Mexican side, and are more vulnerable to being struck with rocks that they cannot see coming. The landing mat fences are so aged and damaged that they cannot easily be repaired, and when corrugated, can have doors cut into them that are difficult to detect. Vehicle barriers will help stop ingress of armed human and drug traffickers, and end mistaken incursions by Mexican military units into U.S. territory. [Source: CBP].

Vehicle barriers significantly reduce illegal vehicle traffic. Since installation, the Buenos Aires National Wildlife Refuge has seen a 90 percent reduction in vehicle traffic in some areas, and the Organ Pipe Cactus National Monument has seen an estimated 95 percent reduction in vehicle traffic. Corinne Purtil, New Fences Protecting Fragile Areas on Border, The Arizona Republic, August 26, 2006 (verified by Customs and Border Protection Sept. 19, 2006).

In 1992, the Border Patrol apprehended 565,581 illegal immigrants in the San Diego Sector, which constituted 47 percent of illegal immigrants apprehended by the Border Patrol that year. After construction of fencing was accelerated as part of Operation Gatekeeper in 1993, the annual numbers began a steady decline. In 2005, 126,913 aliens were apprehended in the San Diego Sector, which was just 10 percent of the total number interdicted by the Border Patrol. (Source: Office of Legislative Affairs, U.S. Customs and Border Protection).

**THE PRESIDING OFFICER.** The Senator from South Dakota.

**Mr. THUNE.** Mr. President, I would just like to add to what my colleague from Arizona has said about the importance of border security. One of the clear priorities in the debate about immigration is what are we going to do to take steps to ensure that we stem the flow of illegal immigration in this country. The Senator from Arizona has been a great leader on this issue. I commend him for that. Of course his State is right down there on the border. But, ironically, even in my State, the State of South Dakota, which is somewhat removed from the border, we are experiencing the effects, some of the negative effects of immigration.

In fact, I had a meeting not long ago with law enforcement personnel in my State—State, Federal, local law enforcement—to talk about the methamphetamine issue which has become a real epidemic in my State like it has in many other places. In fact, methamphetamine arrests were up 45 percent last year in Sioux Falls, which is

our biggest city. There is what is known as the I-29 corridor, from Sioux City to Sioux Falls, beyond to South Dakota, and up into North Dakota. It has become afflicted with the methamphetamine crisis.

As I met with them, one of the things that became very clear is that much of what is driving the methamphetamine scourge in our area of the country is people who have come here illegally. It is illegal immigrants who come in and set up these distribution systems in this country, and they are targeting the Indian reservations. There have been a number of stories about how the methamphetamine—if you want to call them cartels or whatever—have looked for places in the United States where they have wide open space, which we have on our reservations in South Dakota and we do not have sufficient law enforcement to necessarily keep up with some of those problems. They are targeting Indian reservations.

I talked to one law enforcement individual from one of the reservations who said they had just sent back somebody who had come into this country, broken the law on the reservation, for the ninth time. That is how easy it has become to get in and out of this country illegally. That is why it is important this issue be addressed.

I understand there are differences of opinion in the Senate about how to address this; whether or not we ought to have a comprehensive approach or how we deal with those who are already here illegally. I think those are all points of debate and issues we need to continue to discuss and resolve. But we have to start fundamentally with stopping the problem now. The people of this country expect us to act. It is a matter of national security.

We have the possibility of terrorist organizations using our open, porous border as an opportunity to get a foothold in this country. As I have said, we have a lot of law enforcement issues related to people who come here illegally and then commit illegal acts—the methamphetamine incidents I talked about in South Dakota being one example. But, clearly, we need to start sealing, securing this southern border to make sure the people of this country have confidence that we are taking the steps necessary to stem the flow of illegal immigration and to get this issue under control.

I appreciate the work the chairman of the Budget Committee and others have done to put more resources and funds toward that because I think it has made a profound difference already. But, frankly, this legislation we are considering today is important because it will send a loud, clear message to the people in this country that we are serious about this issue of illegal immigration, starting with securing the border.

The other issues that follow from that we can debate. There is an agreement on that. I think the one thing there is agreement on, the one thing

people in this country want to see action on now is let's get this border secure. So this border security bill that has come over from the House and is being debated in the Senate, I hope we will get a vote on it and be able to pass it through the Senate and put something on the President's desk that will move us in the right direction, a direction that will discourage people from coming here illegally. The thing we want to do is discourage people from coming here illegally.

I say that as a person one generation removed from immigrant status. My grandfather and great-uncle came here from Norway in 1906. We are a nation of immigrants. People come for the same reason they did: they want to experience the American dream.

We are a welcoming nation, and we are also a nation of laws. We need to enforce those laws, and this legislation moves us in that direction. It deals with what is the first priority in this debate, and that is securing the American border so that not only from a national security standpoint, a law enforcement standpoint but, frankly, just so people in this country know and people in other countries in the world who want to come here illegally know that we are a nation of laws, and we are going to enforce those laws.

That is where this debate should start. This will give us an opportunity to do something about which I think there is broad agreement. We can address the other issues in due time, but right now, in the time we have left in the Senate before we adjourn, it is important we address this issue.

I want to speak to one other matter. I came to the floor yesterday, and I want to follow up on something I said.

For anybody who watched the comments at the United Nations made by Hugo Chavez of Venezuela, it should have removed any doubt about the importance of American energy independence. We need to become energy independent. We get a million barrels of oil a day from Venezuela. This is a country whose leader was spewing hatred at the United States; someone who, in the past, has said that the President and his administration were responsible and behind the 9/11 attacks.

This is a country, and many of the other countries like that one, where we get the majority of our energy. They are countries that are hostile to the United States. They want to use the leverage they have as a political weapon against the United States.

The way we avoid that from happening is America becomes energy independent. We need more sources of American energy. We need to take steps so that we have the supply in this country that will enable us to meet the needs that we have in our economy, without having to get energy from the Middle East or from Venezuela, OPEC, other countries that have very hostile intentions toward the United States.

Yesterday, I came down here to talk about a bill that will move us in that

direction. I have legislation that is pending in the Senate. It has passed the House. As a matter of fact, it passed the House by a huge margin, 355 to 9, broad bipartisan support coming from the House. It comes here from the Senate. Senator SALAZAR and I have a substitute amendment to that which has been cleared by the Republicans in the Senate. The House has said as soon as we send it back to them they will pass it and it will be put on the President's desk. But we have a series of secret holds on the Democratic side in the Senate.

I know that is part of the tradition of the Senate. I don't happen to think it is a good part of the tradition of the Senate, that people can put a secret hold on a bill and you don't have any idea who has a hold on it, what their issues are. I have my suspicions, since this is an even-numbered year, about why some of these holds are being placed on this bill. Nevertheless, it has the relevant committee's blessing. It has been approved by the committees here.

As I said, we have cleared all the traps on the Republican side of the aisle in the Senate. So the legislation is ready to be passed, sent back to the House, sent to the President, and signed into law. But we have a series of secret holds on the Democratic side in the Senate. That is wrong. Whatever the motivations are, this is policy that is important to the country.

I just mentioned the issue of energy security, of energy independence. This is an issue that strikes at the very heart and core of almost every issue we are debating in the country today, whether it is the economy and the cost of energy, whether it is national security, foreign policy—energy, the fact that we depend upon foreign sources for our energy supply in this country, is a very serious and vexing problem. We have to address it. We need to put policies in place that will create more supply here in America.

This legislation, again, very briefly—to explain it because I explained a little bit yesterday—fills the distribution gap that we have in the area of renewable energy. We passed an energy policy last summer. Part of our policy is a renewable fuels standard which guarantees a market for ethanol and other types of bioenergy. We now have a lot of plants around the country that are operating at full capacity, producing ethanol. We have plants under construction. My State of South Dakota has been at the forefront of that movement, but we will very shortly be at a billion gallons a year production of ethanol.

The problem we have is we do not have a way of getting it to the consumer in this country because we don't have enough refueling stations, gas stations, and convenience stores that have installed the pumps that are necessary to deliver E85 to consumers in this country.

This was an ad that was run in one of the local publications here, Congress

Daily. I saw it a few days ago. I saw it again today in that same publication. It is put out by the Auto Alliance. The Auto Alliance in this country, which represents the major car manufacturers, is very much supporting this legislation. What this ad says is that there are 9 million alternative fuel autos in this country today—and counting: 9 million cars in America today that are what we call flex-fuel vehicles; that is, they are capable of running either on traditional gasoline or E85 ethanol. Nine million vehicles—they are ramping up, building, and manufacturing more flex-fuel vehicles. If you watch the television advertisements today and you see the auto manufacturers run their advertising, they are talking more and more about flex-fuel vehicles. This is an important priority for the auto industry. They have the cars that are out there that are capable of using E85. The problem is, there are not enough filling stations that have it available.

In their letter that they sent in support of this bill, the Alliance of Auto Manufacturers says—and I used the number yesterday. This is a slightly different number, but it is in the ballpark. I said there were 600 gas stations in this country that offer E85 out of a total of 18,000. In their letter they say 830 gas stations, so maybe it has gone up a little bit, out of the total number of gas stations in the country that have E85 ability.

There are 9 million vehicles and counting that can run on flex fuel using E85 or other bioenergy—only using the high number of 830 refueling stations where they can get that.

In the Midwest where I am from, in South Dakota, we have a number of filling stations that make E85 available. But that is the exception and not the rule.

Our bill provides an incentive for these refuelers to install E85 pumps, not just E85. This isn't just an ethanol issue; other alternative energy types of fuels can be used. But it provides an incentive for them to install pumps to make renewable energy and alternative sources of energy more readily available to consumers in this country. It does it very simply by providing grants up to \$30,000 per pump at the gas station. Because they can install more than one, they can take advantage of the incentive more than once. If they install an E85 pump, they can get up to \$30,000 to do that. The cost of installing one of those pumps, depending on where you are in the country, is between \$40,000 and \$200,000.

The simple fact is, this incentive will go a long way. As has been noted, and as I said, the auto manufacturers sent a letter supporting the bill, as has the National Association of Convenience Stores which represents all of the gas stations around the country. They are supporting this; the auto manufacturers are supporting this.

It does not affect the budget because we paid for it. The way we paid for it is

by using the fines that are paid by foreign auto manufacturers for violations of fuel efficiency standards. Take a fine which has been paid and apply those dollars toward a program that provides incentives for fuel retailers to install five pumps and other pumps that offer other forms of alternative energy.

But, frankly, as I said before, it is an important priority. We have auto manufacturers making the cars, ethanol producers that are producing the ethanol, you have consumers in this country who want this product, and you have a requirement now, because of the renewable fuels standard that we passed last year and put into law in the Energy bill, that States meet those standards. You have all of these things clicking. And Hugo Chavez comes to the United States and at the U.N. in a vitriolic way attacks our country and our leaders. Here we are getting a million barrels of oil a day from that country.

We need American energy. We need to be energy independent. We need to move America in a direction toward the future and take us away from relying on the traditional sources of energy.

We get almost 55 percent of our energy from outside the United States—and that has to change.

This legislation is broadly supported. It came out of the House by a vote of 355 to 9. It is broadly supported.

I have had Senators from both sides of the aisle come up to me—and, of course, I said it is cleared on the Republican side. I have had Democratic Senators say they really support the legislation. This is a good thing.

Again, I am at a loss—it is a mystery to me—to try to explain why anyone would be opposed to this. The only thing I can suggest is there are perhaps some election year motivations. I don't know the answer to that. I hope that is not the case.

This is the right thing to do for the country. It is the right policy to put in place for America's future. I call on my colleagues on the Democratic side who have these anonymous, secret holds—we don't know who is holding it up. I wish I knew the answer to that. I would love to have them come down here and defend their position because there is absolutely no logical reason anybody would object to this piece of legislation which implements policy, consistent with the energy policy that we adopted last summer, the renewable fuels standard, and make available for people in this country E85 ethanol.

There are 9 million automobiles in this country and counting that can run on E85. If you use the generous estimate, there are 850 refueling stations. That is a terrible gap. We need to fill that gap in the distribution system in this country. This legislation would do that.

It is ready for action in the House, and it is ready to go to the President for his signature.

But we have, as I said, some anonymous and secret holds on the Democrat

side preventing this legislation from moving forward.

I ask my colleagues—I urge my colleagues—on the other side of the aisle to release those holds and allow this bipartisan legislation, this important legislation, to get to the President's desk so we can begin to lessen our dependence on foreign sources of energy, on dictators, and countries like Venezuela and Iran, and have American-grown energy that will make America independent as we head into the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I thank you. I ask unanimous consent to speak for 5 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EQUAL OPPORTUNITY FOR ASIAN AMERICANS

Mr. CARPER. Mr. President, I want to take a moment to bring to the attention of our colleagues a full-page article which ran in the business section of the Washington Post recently headlined "American Core Values, Equal Opportunity." I had some discussion in my caucus this week focusing on diversity and focusing on diversity of our own staff here on Capitol Hill and how well we are doing. This is an issue that is on my mind.

Some of my colleagues may be familiar with something called the 80-20 Educational Foundation which seeks to promote equal opportunity for Asian Americans. The president of the foundation, as it turns out, is a colleague and friend of mine, a constituent. He is former Lieutenant Governor, recently retired physics professor at the University of Delaware, Dr. S.B. Woo.

Here are some of the findings of 88-20's research as spelled out in the article in the paper.

No. 1. When compared to Whites, African-Americans, Hispanics, and women, Asian-Americans have the lowest odds of rising to management level positions in private industry, universities, and even in the Federal Government.

No. 2. This is interesting because 80-20's research also indicates that Asian-Americans are much more likely to obtain a college degree or higher than Whites, African-Americans, Hispanics, or women.

The data indicates that Asian-Americans have half the chance of Whites of rising to management-level positions.

If this is right, then this is wrong.

From the charts, we can also see that African-Americans, Hispanics, and women are still lagging behind as well. They are also less likely to rise to management level positions. And, perhaps more troubling for the future, they are also much less likely to obtain advanced degrees.

This country was founded on the premise that all men and all women are created equal and that we must always strive for equality and justice for all of us.

We have made great strides over the years. We have taken steps to get closer to that goal of equality and justice

for all. As I have often said, we can obviously make it better.

But an important part of that fight—which I think is illustrated in the Washington Post—is keeping vigilant. We must continue to stay vigilant to promote equal opportunity for all Americans, not just Asian-Americans. Each of the groups in these charts faces different barriers, different challenges. And although we have made great progress in the opportunities for all Americans, we cannot become complacent and assume that there is no work left to be done.

The fight for equal opportunity is a fight we must not allow to lag.

I hope my colleagues will consider the important information that is presented here today and maybe take the opportunity to look at it.

I ask unanimous consent to have the Washington Post item printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

America's Core Value: Equal Opportunity  
What makes America great also enhances competitiveness.

Asian Americans yearn to make greater contributions to our country.

However, today, Asian Americans have the least opportunity to enter management and the slowest rate of progress towards equal employment opportunity, despite having the highest educational attainment.

As the world's economic and geopolitical centers shift, can our nation afford to waste some of her best human resources?

[Chart 1]

[Chart 2]

Research Shows

A. Asian Americans have the lowest odds of getting into management in private industries, universities and the Federal government. 2.1 million Asian Americans work in the three sectors (see Chart 1). Data come from government sources and the methodology from the Equal Employment Opportunity Commission.

B. Should Asian Americans be more patient? The rate of progress from 1996 to 2001 for all workers in Chart 1 was studied. Although Asian Americans are twice the distance from equal opportunity (the blue dashed line) compared with Hispanics and women, Asian Americans' rate of progress is only half that of the latter groups. At the current rate, equal opportunity will not be reached by Asian Americans in another 75 years or three more generations.

C. Asian Americans face these realities of low odds and a three-generation waiting period despite having the highest educational attainment, according to data from US Census 2000 (see Chart 2). Educational attainments have come to all from deep sacrifices of parents and sheer diligence by their children.

Mr. CARPER. I thank the Chair.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

Mr. REED. Mr. President, I understand I have 14 minutes with respect to postclosure debate. I ask unanimous consent to speak beyond those 14 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEDICARE PART D

Mr. REED. Mr. President, I rise today to discuss my deep concerns about the Medicare Part D Program. The "D" was supposed to stand for a new prescription drug benefit, but now seniors are finding that "D" really stands for doughnut hole. Unlike most other types of health insurance, the Medicare drug benefit was intentionally designed with a coverage gap or doughnut hole that requires beneficiaries to pay for all yearly prescription drug spending between \$2,250 and \$5,100.

Let me explain. It is baffling to most people that the Part D Program was designed so that beneficiaries paying premiums each month receive support for their drug costs until they have spent \$2,250, and suddenly the insurance goes away. The premium stays, but the insurance goes away until you reach \$5,100. That is an unusual insurance program, to say the least. Seniors will experience this lapse in coverage once their drug costs have exceeded \$2,250. When they are in the doughnut hole, they have to pay for all the drugs out of pocket, as well as paying the monthly premium. That does not sound like a sensible insurance program. That is, in effect, what this Part D Program involves.

According to one estimate published in the Journal Health Affairs, the average Part D beneficiary will spend almost \$3,100 this year on prescription drugs. So the President's idea of cost containment is not to drive pharmaceutical manufacturers to rein in prices but to just cut off seniors' benefits when they most need the coverage.

Many Medicare beneficiaries with high drug expenses already have begun to fall into the doughnut hole and are struggling to pay for their medications or are unable to fill their prescriptions at all. It has been reported that average Medicare Part D beneficiaries will also begin falling into the doughnut hole this week. It almost sounds like "Alice in Wonderland," where suddenly you are swept into a new world as you go through the hole. A world that requires seniors to come up with their the resources to pay for these premiums as well as their prescription drugs.

I am hearing from many seniors in my State facing problems with Medicare Part D. I know I am not alone. I think every Member of this Senate, when they go home and talk to seniors, is hearing it. We will hear it with more frequency as their expenses increase and their experience with the doughnut hole increases.

In one case, an individual sent a letter to the Rhode Island attorney general and copied me on it because they

thought a crime was being committed. They literally thought they were being robbed because one day they got help with the prescriptions, and the next day there is no help at all.

Now "D," besides standing for doughnut hole, stands for dire circumstances. These are the circumstances in which seniors will find themselves unless we do something to fix this problem because the doughnut hole will only get bigger and bigger year after year.

Today, over 38 million Americans on Medicare have some form of prescription drug coverage. Of these beneficiaries, 10 million have coverage through a standard Part D prescription drug plan, and up to 7 million could be subject to the doughnut hole between now and the end of the year. The numbers will only grow in the coming years if the administration allows drug prices to continue to escalate. What trips seniors into the doughnut hole is the cumulative spending on drugs. If drug prices go up, seniors very quickly reach that threshold where the doughnut hole kicks in. Tragically, many beneficiaries are unaware that this coverage gap exists and only learn about this lapse after they have fallen into the hole. To add insult to injury, these beneficiaries are expected to continue paying monthly premiums through their drug plans even though they receive absolutely no coverage in return. This is a very unusual health care plan, to be paying a monthly premium but not be eligible for coverage.

When we pay health care premiums, we hope we don't have to use any of the coverage, that we are healthy and well, but we all have in the back of our minds the knowledge: If something happens that month, I am eligible, I can get the help. Not so in the doughnut hole. Seniors keep paying the monthly premium, and then they pay, out of pocket, the full cost of the prescription.

I didn't support the Medicare Modernization Act which created Part D because I believed the benefit was insufficient and the emphasis on a privately administered program made it excessively complex. By relying on over 40 private plans in each region, each with a different benefit structure, many beneficiaries are confused about the plan offerings and which plan may suit them best. Moreover, a recent General Accounting Office report finds an alarming number of private Part D plans are providing inaccurate or incomplete information to Medicare beneficiaries about the coverage and benefits provided under the various plans.

No doubt, there are some people who have benefited from this new program, but for too many Part D enrollees with complex medical conditions, the benefit has largely been a source of great confusion and concern. We could have done it differently. We could have done it more simply. We could have done it more efficiently.

Many of the problems we are seeing today could have been averted if the



Administration had not made the program needlessly complicated and if they had done a better job of preparing the public. Despite all of the serious shortcomings of Medicare Part D, the program has taken effect. It is now incumbent upon us to work together to turn things around and improve the situation.

In an effort to provide some modest short-term relief to seniors, I am working with Senators DORGAN and BINGAMAN on the Prescription Fairness Act. This bill has a simple premise: beneficiaries should not have to continue paying monthly premiums when they have no drug coverage. The bill waives the Medicare Part D premium for any month that a senior falls into the doughnut hole. During this time, the Secretary of Health and Human Services would be responsible for offsetting these monthly premium costs. It seems only fair to me. We are making seniors pay premiums, yet they do not qualify for the benefit. If they don't qualify for the benefit, let's absolve them of the premiums until they do, once again, qualify for the coverage.

There is another aspect of the doughnut hole that needs to be addressed. That is the fact that expenditures by other drug subsidiary programs do not count against beneficiaries' true out-of-pocket costs—this is an acronym, TrOOP: true out-of-pocket costs—during this lapse in Part D coverage.

Medicare beneficiaries on fixed incomes should not be penalized for seeking assistance from other programs that provide prescription drugs or drug assistance.

Here is the problem: You go into the doughnut hole. You are desperate for your prescriptions. The expenditures have to come out of your pocket to qualify again. You cannot go to a State agency, perhaps, that has a program because that spending will not be counted. I think that is another problem we have to address.

The Helping Fill the Prescription Gap Act—another proposal which I have cosponsored—would allow costs incurred by federally qualified health centers and patient assistance programs to count toward a beneficiary's annual out-of-pocket threshold. If they can get the help, qualify for the help, it should be counted, as they try to extricate themselves from the doughnut hole.

While these two bills are designed to help ease the burden of Medicare beneficiaries in the doughnut hole, serious structural problems of the program must also be addressed.

"D" also stands for—besides "doughnut hole," "dire circumstances"—for the dubious claims the Administration has made about the plan's costs and the savings they would deliver for consumers.

The Administration's original cost estimates for the program were woefully inaccurate, and the benefit is now expected to top \$700 billion in the first decade—\$300 billion more than was originally advertised.

The fundamental premise behind the Medicare Part D benefit—that vigorous competition among private insurers would lead to lower drug prices—simply has not proven to be true.

"D" also stands for the do-nothing Republican Congress that during this year's budget debate failed to pass a Democratic amendment that would give the Secretary of Health and Human Services the authority to negotiate the best deal for Medicare prescription drugs.

Instead of harnessing the purchasing power of over 40 million Medicare beneficiaries, the Administration plan called on private insurance plans to administer the program and to negotiate directly with the pharmaceutical companies on drug prices.

Here I think is the structural flaw in this overall program. In order to pull together the bargaining power of the largest number of seniors, the Government should be able to negotiate prices with pharmaceutical companies. The pharmaceutical companies have market power. Many of their drugs are patented and cannot be produced by anyone else. They can drive the price up.

The only way in a market you counter that type of monopolistic pricing power is by banding together as consumers so you have one entity negotiating for the consumers against one entity who controls the product. You will get a better price.

That is what we do in the VA system. The VA system has the legal authority to negotiate prices with drug companies. They have thousands and thousands of clients in their hospitals and in their outpatient settings, and they simply go and say: If you would like to sell us this significant volume of drugs, give us your best price. That is the way I believe we can get drug prices if not down, at least lower the escalation in costs. If we do not rein in price growth, the estimate of \$700 billion over 10 years, I believe in a year or two, could be even higher.

Families USA conducted a survey that compared the lowest Part D prices with those the Veterans' Administration negotiated for the five most commonly prescribed drugs to seniors, and the variation in price is staggering. The VA can negotiate on behalf of our Nation's veterans while Medicare is barred from doing so—legally barred. It is part of this legislation: a rather large benefit to the pharmaceutical industry, to the detriment of taxpayers and seniors.

We can save money, and we can pass these savings on to seniors, we hope, but we cannot tie our hands. We have to be able to, as a large entity, as Medicare, negotiate these prices.

I want to work with the President and my colleagues in the Congress to strengthen Medicare for the long term. But the Administration has failed so far in their approach to Medicare reform.

Under the current Part D Program, drug companies hold all the cards. A

recent New York Times article revealed that the shift of dual-eligible beneficiaries from Medicaid drug coverage over to the Part D Program has been a financial boon to drug manufacturers.

Previously, under Medicaid—a separate program which is a joint State-Federal program—seniors could qualify in certain cases for drug assistance. In the States, the Medicaid programs were negotiating with the pharmaceutical companies for prices. But with the passage of Part D, these dual-eligibles were automatically enrolled into the Medicare Part D Program. And what happened to drug prices? They zoomed out of sight. That, to me, is evidence that we can do much better, not only to protect seniors but to protect taxpayers.

Now, I believe the pharmaceutical companies deserve a fair return on their investment. They have invested in drug research and development. But allowing them to dictate prices for millions of elderly and disabled Medicare beneficiaries is a bad deal for the Federal Government and a bad deal for the American public.

These are just some of problems with Medicare Part D that must be addressed.

And while Part D is receiving most of the attention lately, seniors also face a 5.6-percent increase in Part B premiums for doctor visits and outpatient services in 2007, which will absorb a disproportionate amount of their Social Security cost-of-living adjustments—their COLAs. In fact, Part B premiums have almost doubled since President Bush took office, so seniors living on fixed incomes will now pay almost \$1,200 just for these premiums alone.

This is another example of the growing squeeze, economically, on middle-income Americans. When you look at working Americans, young Americans with families, you have seen tuition costs go up extraordinarily so. You have seen health care costs go up, and many of these families do not have the benefits of the Medicare Program at all. Their costs are going up significantly. And gasoline prices are high. But incomes are not keeping up.

In fact, in real terms, inflation-adjusted terms, from 2000 to 2005, the median income of American families has fallen by \$1,300. So you have falling income and increasing prices. It is this vice that is squeezing middle-income Americans.

And then, when you go to seniors, they are looking at some relief in Medicare Part D, but they are falling in the doughnut hole and finding that relief is elusive. They are also finding their Part B premiums going up. They are being squeezed hard also.

Now, through all of this, the Administration has proposed no substantive changes to the Medicare Program to help these beneficiaries. We have to take action. I hope in this Congress—although the days are dwindling down

to a precious few—but certainly in the next Congress we have to start looking seriously at reforming Medicare Part D, at making it more affordable for seniors and more affordable for taxpayers.

Let's make the "D" stand for what it should stand for: doing right by our seniors.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. VITTER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### OIL COMPANY ROYALTY PAYMENTS

Mr. WYDEN. Mr. President, all of us in the Senate know that each of the executive branch agencies have an inspector general. Last week, the inspector general at the Department of Interior made an extraordinary statement about the lack of ethics, in his view, at the Department of Interior. I have come to the Chamber this afternoon to discuss that and to bring to the Senate's attention some new developments on this issue.

What the Interior Department's inspector general, Mr. Earl Devaney, said last week is essentially that the Department has lost its ethical compass, and specifically the inspector general stated:

Simply stated, short of a crime, anything goes at the highest levels of the Department of Interior.

Mr. Devaney pointed to a number of instances where he thought the Department was essentially defending the indefensible and was particularly troubled by the way the Department's royalty efforts—the efforts to collect money owed to the Federal Government—were going forward.

This morning, there are new developments on this issue which are particularly relevant to the Senate's work for the rest of the session. This morning, there was a news account documenting how for some time the nonpolitical auditors in the Interior Department have been raising concerns about underpayment of millions of dollars of royalties for oil and gas leases. What the article says is these auditors, who are nonpolitical, professional people, were overruled by their superiors when they wanted to go out and aggressively protect the taxpayers of this country. Some of these auditors, according to these news reports this morning, were so outraged by the Interior Department's failure to collect the full amount of royalties that were owed the people that they have filed False Claims Act lawsuits against the oil companies for defrauding the Government.

For example, one senior auditor identified an oil company scheme to reduce its royalty payments by apparently selling oil it extracted from Federal

lands at a discount, thereby reducing the amount of royalty it paid to the U.S. Treasury. According to the news accounts, the superiors in that instance told the auditor not to pursue a collection of the oil company's underpayments. So the auditor felt that, to get any justice for the taxpayers, he had to go out and file a false claims lawsuit against the company responsible. Apparently, after he did that, he was subjected to retaliation by Interior Department officials, and then he was eventually terminated.

Several additional false claims lawsuits have recently been unsealed as well where, here again, auditors apparently uncovered underpayments but were not allowed to pursue collection of the full amounts owed to the Government. In each of these cases, the Federal Government declined to join the suit to recover on behalf of the taxpayers the money that oil companies allegedly were underpaying for their oil and gas leases.

If this were just one isolated case, you could say that maybe this was a person who just had a bad experience and they are angry at this point. But when you have a number of cases—a number of cases brought by nonpolitical professional people, people who are putting themselves at risk by bringing this out—that issue becomes too important for the Government to ignore.

I am bringing it to the attention of the Senate this afternoon because it goes to the heart of something I have been talking about for many months. In fact, months ago, I spent over 4 hours right in this spot trying to blow the whistle on the fact that it was time to stop stonewalling on this issue of collecting billions and billions of dollars in royalty payments that are owed by oil companies that are extracting that oil from land owned by the people of this country.

In this case, the Interior Department's inspector general has identified underpayments of just a tiny fraction of what is owed, but it seems to me this highlights how serious a problem this is. It also undermines the argument of the administration and some supporters of the oil industry that this money is going to be collected if the Congress just stays out of it and the executive branch goes after it on its own. That is one of the reasons that apparently we can't get a vote on an effort to collect these royalties here in the Senate, because some have said the executive branch is on this case, they are going to go after it, and they are going to bring in these dollars. Well, today, on the front page of one of the country's newspapers, we are seeing that not only is the administration not going after these royalty payments, but when independent, professional auditors go out and try to collect the money, not only is there no effort to support them, but they end up getting rolled when they try to bring these cases and collect money that is owed to the taxpayers of this country.

Under Federal law, oil companies are supposed to pay the Federal Government royalties when they extract oil or gas from Federal lands or offshore drilling. During the 1990s, to encourage drilling when oil prices were low, Congress provided relief to suspend royalty payments when prices were below certain threshold levels. It was, however, the intent of Congress that royalties would resume when the prices got back above those thresholds. But the leases that were signed during 1998 and 1999 failed to include the price threshold. As a result, a number of oil companies have been allowed to extract oil without paying the royalties that are owed under these leases, even when the oil prices went to record levels, as we saw this past summer.

The Government Accountability Office has estimated that the failure to include price thresholds in just those leases—just the ones I mentioned—could cost the Federal Treasury and the taxpayers \$10 billion. What is more—and I think this will be truly eye-opening for the Senate and for the country—is that given the fact there is litigation pending surrounding this program, the loss to the taxpayers could perhaps soar to as much as \$80 billion, according to an estimate by an industry source.

That is why I took the time a few months ago to stand on the floor of the Senate for well over 4 hours to make the case of reforming the oil royalty program, and that is why I have come to the Chamber today to bring to the attention of the Senate the concerns that are coming from the professional auditors.

When we debated it, or when I had a chance to raise the concern before the Senate on that occasion and others, I heard some saying that the Interior Department is going to go out and get these funds, they are going to make sure the taxpayers don't get ripped off. We have heard that argument advanced time and time again. It essentially has been stated that the Interior Department has begun the efforts to renegotiate those leases that are costing the \$10 billion I mentioned and that Congress can only get in the way by trying to take legislative action.

Well, these news reports that have come out this morning make it very clear that Interior officials are not willing to address the problems with the royalty program on their own. When given the chance to pursue the issues raised by nonpolitical auditors working for the Department, according to this morning's report and these lawsuits, those high up in the Department blocked the auditors' efforts to collect the full amount owed to the U.S. Treasury and to taxpayers.

The Interior Department's negotiations with the oil companies on the 1998 and 1999 leases didn't even start until after Congress included language in the Interior appropriations bills to prevent companies from getting new leases unless they renegotiated their

old leases to include price thresholds. And the mediation process that is now underway between the companies and the Interior Department is nonbinding, so the companies can walk away at any point. In my view, that is why Congress ought to step in now and require the Interior Department to fix the royalty program through legislation.

The companies are doing everything they can to keep this issue from coming to a vote on the floor. That is what happened when I stood in this spot for more than 4 hours a few months ago. The oil companies knew on that occasion that if there was a vote here in the Senate to reform this program which is so out of hand—because even our esteemed former colleague who is from the State of Louisiana, former Senator Bennett Johnston, said the program is out of hand. If we had a vote that day, the vote would have been overwhelming to fix the royalty program. But we could not get that vote because there were some in the Senate who knew that the taxpayers would win, and they didn't want to have the vote. Now the session is about to end. The subsidies are going to continue. Based on this morning's report, auditors who are professional are being overruled by their superiors when they want to get those dollars owed to the taxpayers.

In my view, time is not on the side of those of us who want to put a stop to these senseless subsidies. The oil companies and their supporters know that the time left in this session is limited, so if they can keep the Senate from voting on these royalties, the legislation that the House adopted after my discussion in the Senate will almost certainly disappear when the Interior bill gets rolled into some kind of an end-of-the-session comprehensive bill called, around here, omnibus legislation.

The negotiations now underway with oil companies, that have the most generous deals of all, in my view, are going to get dragged out and delayed and postponed until the last legislative vehicle leaves town. Then the oil companies can walk away from the table, return to claiming those needless subsidies, and I assume fewer auditors will step forward in the future because they will see that there has not been a Congress backing them up.

We have seen the "run out the clock scenario" play out before. It happened, for example, on the issue of needless tax breaks to the oil companies. I was able to get legislation through the Senate Finance Committee to begin the effort to roll back some of the tax breaks that the oil companies were getting. These were oil companies getting breaks that even they said they didn't need when I asked them questions when they came before the Senate Finance Committee. But by the time we were done on the tax side, the oil companies had been able to water down much of what I had originally gotten out of committee, and they are still getting billions and billions of dollars

in tax breaks that they themselves have testified before the Senate they do not need.

I believe, on the basis of the news reports that we saw this morning and the fact that the inspector general of the Department of Interior has said that anything goes with respect to ethics at the Interior Department, that this Senate ought to step in and protect the taxpayers of this country. This Senate ought to address this problem, which the inspector general has called "indefensible" and has, in effect, said the Department is still trying to defend it. My view is that if the Senate ducks this issue, it will be very difficult to explain to the American people how Congress can propose to allow additional billions of dollars of royalty money to be given away before it puts a stop to what already has gone out the door.

The distinguished Senator from Louisiana and my colleague who is my seatmate, the distinguished Senator from Louisiana, Ms. LANDRIEU, has sure made a good case to me about the suffering that folks in New Orleans and in her State have endured. But what has been troubling to me is how do you make a case for starting a new royalty program, a new offshore oil royalty program, when you are wasting money on the last one that got out the door? So I will continue to try to make the case, force the Senate to reform this oil royalty program, and I am going to continue to press this every time I think there is a new development in this case.

I urge my colleagues to read the important article by Mr. ANDREWS in the paper today describing the efforts of these auditors to try to make sure taxpayers do not get stiffed.

It is one thing if one person comes forward. It is another when you have a whole pattern of these cases, by people who are nonpolitical, who are professional people. We have had a bipartisan effort in the Senate to change this. I have been particularly appreciative that Senator KYL, Senator DEWINE, and Senator FEINSTEIN have joined me in past efforts. But we have not been able to offer that amendment and actually get a vote on a bipartisan proposal that would finally clean up this program and protect the taxpayers of this country.

As a result, some of the most profitable companies in the country are continuing to get billions and billions of dollars of royalty relief and giveaways that are paid for by the taxpayers of this country.

It was one thing to start that program back in the days when oil was \$19. It is quite different when you have royalty relief, taking hard-earned dollars out of the pockets of our citizens when that relief clearly is not necessary. I urge colleagues in the Senate, on both sides of the aisle, to join me in these efforts to clean up this program, stop the outrageous giveaway of taxpayer money, and take a good look at

this morning's report. The combination of what the inspector general has said and what these independent auditors have said this morning, in my view, is too important to ignore. The Senate ought to step in and make sure the taxpayers' interests in this country are protected.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. OBAMA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

Mr. OBAMA. Mr. President, I rise to speak about the Secure Fence Act. The bill before us will certainly do some good. It will authorize some badly needed funding for better fences and better security along our borders, and that should help stem some of the tide of illegal immigration in this country. But if we think that putting up a few more miles of fence is by any means the whole answer to our immigration problems, then I believe we are seriously kidding ourselves.

This bill, from my perspective, is an election-year, political solution to a real policy challenge that goes far beyond November. It is great for sound bites and ad campaigns, but as an answer to the problem of illegal immigration, it is unfinished at best.

Yes, we need tougher border security and stronger enforcement measures. Yes, we need more resources for Customs and Border agents and more detention beds. Democrats and Republicans in both the House and the Senate agree on these points. But immigrants sneaking in through unguarded holes in our border are only part of the problem.

As a host of former Bush immigration officials and Members of Congress said in today's Washington Post, we must "acknowledge that as much as half of the illegal-immigration problem is driven by the hiring of people who enter the United States through official border points but use fraudulent documents or overstay visas."

This serves as a reminder that for the last 15 years, our immigration strategy has consisted of throwing more money at the border. We have tripled the size of the Border Patrol and we strengthened fences. But even as investments in border security grew, the size of the undocumented population grew as well. So we need to approach the immigration challenge from a different perspective.

This is why for months Democrats and Republicans have been working together to pass a comprehensive immigration bill out of this Congress because we know that in addition to greater border security, we also need greater sanctions on employers who illegally hire people in this country. We

need to make it easier for those employers to identify who is legally eligible to work and who is not. And we need to figure out how we plan to deal with the 12 million undocumented immigrants who are already here, many of whom have woven themselves into the fabric of our communities, many of whom have children who are U.S. citizens, many of whom employers depend on. Until we do, no one should be able to look at voter in the face and honestly tell them that we have solved our immigration problem.

A model for compromise on this issue is in the Senate bill that was passed out of this Chamber. In the new electronic employment verification system section of that bill that I helped write with Senator GRASSLEY and Senator KENNEDY, we agreed to postpone the new guest worker program until 2 years of funding is made available for improved workplace enforcement. We could extend that framework and work together to first ensure the money is in place to strengthen enforcement at the border and then allow the new guest worker program to kick in. We can do all of that in one bill, but we are not.

So while this bill will probably pass, it should be seen only as one step in the much greater challenge of reforming our immigration system. Meeting that challenge will require passing measures to discourage people from overstaying their visas in the country and to help employers check the legal status of the workers applying for jobs.

It seems it was just yesterday that we were having celebratory press conferences and the President and the Senate leadership were promising to pass a bill that would secure our borders and take a tough but realistic approach to the undocumented immigrants who are already here.

Today that promise looks empty and that cooperation seems like a thing of the past. But we owe it to the American people to finish the job we are starting today. And we owe it to all those immigrants who have come to this country with nothing more than a willingness to work and a hope for a better life. Like so many of our own parents and grandparents, they have shown the courage to leave their homes and seek out a new destiny of their own making. The least we can do is show the courage to help them make that destiny a reality in a way that is safe, legal, and achievable. So when we actually start debating this bill, I hope the majority leader will permit consideration of a wide range of amendments.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COLEMAN). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I rise to speak on the pending legislation, the Secure Fence Act of 2006. I want to address this issue. I have worked on the immigration issue all this year. It has been a very difficult issue. It has been a very difficult discussion. It has been one that has involved a great deal of the time of this body.

I serve on the Senate Judiciary Committee. We worked a long time to try to come up with some form of comprehensive legislation that we put forward. It was far from perfect, even as it was passed. Before it passed, people were questioning this provision and that provision. You look back on it and say: Well, I think that is a good question, and I think that is a good point, and it is something we need to deal with in conference to be able to address those concerns and topics.

I think we could have come out with a good conference bill, but the volatility of the subject, the lateness in the session, the closeness to the elections really has just not made it possible for us to move forward on comprehensive immigration reform, as the President has requested, as most people in the country look at it and believe in some form we need to deal with immigration in a broad fashion.

Yet almost everybody I have talked with on the immigration issue—a number of whom are passionately involved in the topic—virtually everybody who looks at it will say: OK, let's first get the border secure. First, let's stop the flow of illegal immigration into the United States, and then let's talk about comprehensive reform or you get a number of people saying: I don't think you are serious at the Government level of dealing with securing the border. When you show me that, then let's move forward with comprehensive reform because I do recognize we have 11 to 12 million people here in an undocumented status. We do have a need for workers in a number of places across the United States, that there are legitimate concerns, and the best way for us to move forward is in some fashion dealing with all the problems that are associated with this issue.

We have a history in the United States, in the last 20 years, of dealing with this problem on a piecemeal basis. In 1986, there was an amnesty bill, but it did not deal with border enforcement at that point in time. That did not work. In 1996, we had an enforcement-only bill, but it did not deal with the future flow or did not deal with the people who were here in an undocumented status at that point in time. We come, then, to 2006.

It is an interesting progression in the numbers as well. In 1986, we had roughly 3 million here in an undocumented, illegal status. In 1996, 10 years later, we had 7 million here in an illegal, undocumented status. We tried amnesty. We tried enforcement in 1996, and we had 7 million who were in an undocumented, illegal status in the United States.

In 2006, we are at 11 million to 12 million. So we have tried this on a piecemeal basis before, and it just has not worked. Whether you come from either side of the argument, it has not worked on a piecemeal basis. What I am hopeful we can do in passing this legislation—in the secure fence area; and I do support this legislation—is that we can deal with the precursors that a number of people have identified, saying, first, we really need to secure the border and show the country we are serious about securing the border. Then let's move forward with the comprehensive legislation.

What this, I hope, will be is the first step in dealing, in a comprehensive, long-term fashion, with our failed immigration system and huge immigration problem. We need to do this, and we need to do this first.

I was hopeful we could do this in one whole package and move it on forward and see the practicality of that whole package, that the first thing you would do is to secure the border—and the President has already dispatched National Guard troops to the border. The border enforcement efforts have already stepped up and they are showing fruit from their efforts. We are stepping up and doing this now.

I was hopeful we could do this as a comprehensive piece of legislation, recognizing the practicality that, first, the border would be secure because that is the thing you could do first, and then you could deal with a future flow guest worker program that would take you several years to implement. And you could deal with those who are here and in an undocumented status? That would take some period of time to deal with as well.

We are not going to be able to, this legislative session, get that broad piece of legislation through. Yet I think this shows to people in the country deeply concerned about our border—as I am, as we all are in the Congress and in this country—is that we are serious about dealing with this issue. And I think there will still remain the political impetus to deal with this on a broad-scale basis, but first we step up and do first things first and we secure the border and we show to the country we are, indeed, serious about securing the border, and we are doing everything we can to secure the border.

It will not permanently seal the border. This effort, the Secure Fence Act of 2006, will not achieve that. It is going to be very difficult to completely secure the border, but this bill will take a strong step forward for us.

I also say to my colleagues who believe we should just do enforcement or we should do enforcement first, that we then, in the future, need to take the next steps necessary to deal with this in a comprehensive fashion.

I think it is going to be very important that, OK, yes, we do this, and we move this forward, but then we need to move forward with the rest of it. What do we do with those who are here in an

undocumented status? How do we do more on interior enforcement at work sites? What do we do on a guest worker future flow program? So that we will deal with this in a totality, so that as to those who are concerned we are just going to do this and not deal with the rest of the system, we can say: No, part of what we are talking about and doing is securing the border first. We do that we are going to hold true to what we said. Yes, we do that. And, then, let's talk about how we can move forward in the comprehensive fashion because that is the way—and the only way—I think you actually deal in some sort of long-term fashion with the very real problems we are facing and that really a number of countries around the world are facing—certainly the Europeans are facing—in a major fashion.

It seems to me that one of the things that happened after the fall of the Berlin Wall, in particular—some time before but certainly after—was people started moving to opportunity. They started moving to where they felt they could have a better life for themselves and their families. It is certainly an impetus I recognize, and it is hard to fault people for that. You want it to be conducted in a legal fashion and to see that national sovereignty rules are obeyed.

People in this country who talk about security first, when they talk with me about that, they are not against immigration. They want it to be legal. They want the system to be a legal system, and then we can work with it. But they don't want an illegal system that has devolved or, as we have seen, broken down in this country.

I think this is an important first step forward for us in dealing with this problem in a comprehensive fashion. It is not what a number of us had worked for in getting a comprehensive bill. I think it is the first step in us getting comprehensive legislation moving forward and convincing the country that we are serious about securing the borders so that we can do comprehensive reform of an immigration system that is so desperately needed.

Mr. President, I have worked a long time and for a number of years on human rights issues and dignity of the individual, and I believe fundamentally in my bones about this. I believe it is important and it is a big statement, what a country does in taking care of the least of us, including the widows and orphans. In those statements, it also says that the foreign are amongst you, citing those who are in a difficult situation. They are in a hard situation. We need to help them and work with them in any way we can. We need to be able to craft a legal solution to do that. I think it is important. It is also a statement of the nature of our society and our Nation that we do that. We need to reach out to those in the most difficult circumstances in this country. This is a step forward, but it is not and cannot be the final step.

I remind the individuals who have pushed this route forward that we are taking you at your word as well, saying first secure the border and then we go to comprehensive reform. We are going your path. This would be the path that you said is the way to go. We cannot just stop here and say: OK, we have done that, and now we are not going to talk about the rest of the issues. We need to see this on through to what people had said was the right route to go—first securing the border and then dealing with the rest of it. We are going that path, your path, forward.

I hope we can move this through and then continue the discussion on how we move forward with comprehensive immigration reform. I believe it is critical for us to do that for the future of the Republic.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEWINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HONORING OUR ARMED FORCES

##### ARMY STAFF SERGEANT SEAN LANDRUS

Mr. DEWINE. Mr. President, I rise today to remember a fellow Ohioan, a young man who lost his life in Operation Iraqi Freedom. Army SSG Sean Landrus died on January 29, 2004, of wounds he suffered when a roadside bomb exploded next to his convoy in Iraq. He was 31 years old.

Sean Landrus will be remembered for many things and in many ways. He was an exceptional soldier who enjoyed and took pride in military life. More than that, he was a loving son, brother, husband, and father, a man who was completely dedicated to his family.

Sean was born in January of 1973 in Painesville, OH, to loving parents Ken and Betty Landrus. The youngest of six children, Sean was very close to his entire family and remained so throughout his life. Sean attended Ledgemont High School where he excelled in football, basketball, and track. A highly competitive athlete, Sean hated to be taken out of any game, even if he was injured. According to his mother Betty:

One of the managers said that he just didn't play the same without Sean because he was the spark plug.

Sean carried that dedication and competitive spirit with him throughout all that he did. After graduating in 1991, Sean attended Kent State University while working for C&K Industrial Service, an industrial cleaning company in Cleveland. Although she didn't enjoy it at the time, Betty now fondly recalls how grubby her son would be when he got home from work. Despite the dirt, she loved her "iron teddy bear."

On December 2, 1995, Sean married his high school sweetheart Chris, and

they made their home in Thompson Township. Sean reported for boot camp just 1 month later. He was assigned to Company B, First Engineer Battalion, First Brigade Combat Team, First Infantry Division. Sean spent 8 years in the Army, including deployments to Bosnia and Kuwait.

Sean was a devoted family man who found it difficult to leave his wife Chris, his son Kenneth, and daughters Khrista and Kennedy for his overseas tours. He was very sorry to be away from them for that period of time. His deployment to Iraq was particularly emotional. Kennedy was then just a few weeks old. At the time, Sean and his family were living in Fort Riley in Kansas. Sean was offered a desk job at the base, but he declined it in favor of going to a combat zone.

In the words of his mother Betty, "Sean just hated being behind a desk."

In September 2003, Ken and Betty drove to Fort Riley both to meet their new granddaughter and to say good-bye to their son before he left for Iraq. Because Sean was busy making preparations for deployment, they weren't able to see him very often. But for Sean, it was important that he made sure everything for which he was responsible was in the right order. That is simply the kind of man he was. Betty and Ken woke up very early and stayed up very late to spend as much time with him as possible. Sean found it difficult to leave his family again, and as he said in his own words, "It is my job."

Sean's deployment to Iraq would have been his last. Before going overseas, he told his family that it would be the final time he went away. He just didn't want to leave them anymore. Unfortunately, Sean's convoy was ambushed after a roadside bomb exploded next to the truck he was in. Two days later, he passed away from his injuries.

Mr. President and Members of the Senate, that day our Nation lost a great soldier. The Landrus family lost a loving brother, son, husband, and father. Perhaps most heartbreaking, Sean was never able to hear his youngest daughter's first words: "Da Da."

As Ohioans have done so often in the past, the members of Sean's community rallied around the Landrus family to offer their support. During Sean's final trip home to the Cleveland area, color guards from the area's veterans posts lined the processional route. Others wishing to pay their respects gathered in freezing temperatures to wave American flags, and nearly 400 people crowded into St. Patrick Catholic Church to celebrate Sean's life. County flags were flown at half-staff and a resolution honoring Sean was passed at the Thompson Township trustee meeting. His death was a loss felt by the entire community.

SSG Sean Landrus was a great man. I know he will live on in the hearts and minds of all those who were privileged to have known him. My wife Fran and I continue to keep the Landrus family in our thoughts and prayers.

## MARINE CORPORAL BRAD SQUIRES

Mr. President, I rise today to pay tribute to Marine Cpl Brad Squires, a fellow Ohioan from Middleburg Heights, who lost his life on June 9, 2005, as a result of an explosion that occurred during combat operations. He was assigned to Marine Forces Reserve's 3rd Battalion, 25th Marine Regiment, 4th Marine Division, from Akron, OH. Brad was the son of Donna and Bruce Squires, husband of Julie, brother of Chad and Jodie, and uncle of Chad, Cassidy, and Alexis. He was only 26 years old at the time of his death.

Brad graduated from Berea High School in 1997, where he played on the football team. He was studying to be a firefighter and was taking classes at Lorain Community College. He was also an aspiring supermodified driver who entered his first race in 2004 with the Midwest Supermodified Association. Brad joined the Marines in 1999, and in February 2005 he was sent to the Al Anbar province in Iraq, where he served 4 months with his battalion before his death.

Brad Squires was loved by everyone who knew him. Again and again, I have read about what a good friend he was. He was always looking for ways to make his friends and family smile, and was constantly seeking new adventures. Brad's aunt, Donna Dirk, described him as "fun-loving, very family-oriented, and really a nice kid."

Katie Gorton remembers Brad's wonderful personality. She made the following comments after attending his wake:

Brad certainly is a "hometown hero," but more importantly, an American Hero . . . all of us there that night looked at pictures and remembered his mischievous grin, his contagious laugh, and his charismatic personality. We were able to remember Brad the friend, Brad the cousin, Brad the funny guy from math class, Brad the guy the underclass girls had a crush on, Brad the son, etc. . . . and for some of us, it was the first chance we had to meet and remember another side of him . . . Brad the Marine. I'd like to think that he knows how many lives he's touched now, and is able to be with us all now through miracles.

Brad had a strong sense of duty to family and friends from childhood, always wanting to help protect others from harm. As a young boy, he knew the difference between right and wrong. Middleburg Heights' mayor recalls what must have been a very special day for the young Brad. "I probably handed Brad Squires his safety town certificate when he was five," he said. And Jessica Sutherland of Lakewood remembered a time when Brad rescued her from the bullying of a bigger boy. According to Jessica, for years afterwards Brad would blush when she thanked him for the day. She writes:

For that small good deed, he's always been a hero to me, so I'm not surprised he died a hero . . . God bless Brad Squires.

Kelli Kusky echoed these remarks about Brad's selfless nature. She said:

. . . He was always helping people; I remember the time that his neighbor had a

heart attack and Brad kicked in his air conditioner and saved the man's life. He made no big deal out of it, just said that he knew what he had to do. And I know that Brad did what he knew he had to do in Iraq. I don't think he would of had it any other way . . . He meant A LOT to a lot of people and left long lasting impressions on everyone that he met!

Clearly Brad was a hero to many throughout his life. And he did indeed love his Marine Corps. According to his wife, Julie, "Brad loved his Marine Corps and would jump at a chance to tell everyone about it." Nate Ickes of Akron also commented on Brad's military service. He said:

My thoughts and prayers go out to everyone that knew and loved Corporal Brad Squires. I am so proud to have served with him and he will be missed very much. Brad had a way to make everyone laugh, even if there was nothing to laugh about. He was a fine Marine that any one of us from Weapons Company would have been honored to work with. Brad was a man who would never let you down, nor would he stop until the job was done! Corporal Brad Squires will be forever missed but never forgotten. Brad will always be a brother, friend and Marine of Weapons Company 3/25. . . .

Brad deeply loved his family, and was deeply loved by them. He married his wife Julie in November 2004. They had to move up the wedding date when Brad learned that he would be deployed in January. Sadly, their family and friends would return to the same church 7 months later for Brad's funeral. Brad was looking forward to starting a life with his new bride and spending time with the rest of his family.

Brad's sister Jodie wrote these words to Brad:

My brother, my friend, my hero that will never be forgotten. I love and miss you so much, Brad—26 years of great memories is what I hold close to my heart. On behalf of the family, I would like to thank everyone for their support.

Brad's brother Chad echoed these sentiments, saying:

My brother Brad is a hero, he died for what every American enjoys in life—their freedom.

Brad will also be deeply missed by the numerous community members who knew and loved him. Numerous mourners attended his memorial service at St. Mary's Catholic Church, where he and Julie had been married 7 months earlier. More than 120 motorcycles and 200 cars participated in the procession to the cemetery, while hundreds of people with flags watched them pass. Tim Ali, a family friend, aptly expressed a fitting sentiment: "We have him home."

In honor of their brother, Brad's siblings Chad and Jodie have started a memorial fund to carry on his legacy. Donations to the Corporal Brad Squires Memorial Fund will help build and preserve a memorial on Old Oak Boulevard in Middleburg Heights, dedicated to all the men and women in Ohio who have given their lives to protecting our freedom. You can learn more about this memorial by accessing the Web site at [www.bradsquires.net](http://www.bradsquires.net).

I would like to end by including a message that Donna left for her son one year after his death:

Brad, not a day goes by that you're not in our thoughts and prayers and how we wish you could be here and how we wish we could see you again. When I think of you I think of your love for life and your beautiful smile. You always had a mystical way of brightening up someone's darkest day. We experienced life together, through good and bad times. I know we will be together in eternity and you are in a better place but we all miss you deeply. I pray to God that He will comfort us and give us all strength. Until we're together again, have a great time in heaven. . . .

The overriding theme of Brad Squires' legacy is the number of lives he touched while he was on this earth. So many people have remarked how Brad had positively impacted them. With his death, we have lost a great man. Brad loved his family, loved his country, and loved his commitment to the Marine Corps. He will never be forgotten. My wife Fran and I continue to keep the family and friends of Cpl Brad Squires in our thoughts and prayers.

Mrs. CLINTON. Mr. President, as I have often reminded my colleagues, New York State is an agricultural State. We are home to 36,000 farms, and our farmers are world-class producers of dairy products, apples, grapes, honey, maple syrup, great wines, and other fruits and vegetables. New York is truly a land of milk and honey—and so much more. Agriculture contributes almost \$4 billion to New York's economy. More than 1.2 million people work on farms or in farm-related jobs.

But farmers in New York who are contributing so much to our economy and way of life—in a plight shared by the agricultural industry across the country—face an incredible challenge to maintain a workforce that does the difficult job of harvesting crops and bringing our State's bounty to the marketplace.

That is why I continue to fight for a solution. And as we consider the Craig and Feinstein amendments, I hope we can keep these farmers—many of whom I have met and worked closely with these past 6 years—in our focus and put the politics and partisanship aside. There are those in this Chamber who have strong disagreements over how to pursue comprehensive immigration reform. But I hope that these proposals to stand by our family farmers and agricultural industry, both struggling to find labor, are not held hostage to the larger debate.

Our farmers have long desired a legal, stable workforce and have been calling for reform. But now they face the prospect of crops dying in the field or on the vine—or worse, their farms going out of business because of a shortage of workers. We have had the best apple crop in years in New York, but the lack of labor has left apples unpicked on the trees. We are in the midst of the harvest season in New York State, and the 36,000 farm families face the real risk—this year—of



losing their livelihoods if we cannot ensure a legal, stable workforce for them. In fact, according to the Farm Bureau, New York's agricultural industry stands to lose \$289 million with fruit and vegetable growers estimated to lose more than \$100 million without solving this problem.

Farmers have shared with me their stories. Many feel abandoned to election-year politics, partisan wrangling, and a Government that does not recognize their hardship. Our farmers' crops are dying in the fields. We cannot allow a real solution to die on the vine.

In recent meetings with scores of New York farmers from across the State, it was stressed to me that the current worker program in place—the H-2A legal guest worker program is antiquated, unworkable, and woefully inadequate. Couple this with the recent increases in enforcement by the Social Security Administration and the Bureau of Immigration and Customs Enforcement, and the result has been major disruptions to our farms.

I join with many of my colleagues in this Chamber who believe that workplace enforcement is imperative. But as we all know, our current laws are broken, and enforcement has been inadequate and haphazard at best. We know this because we have been debating reforms for months, some of us for years. These increases in enforcement have left our farmers reeling. Day to day, they do not know whether their labor force will show up for work, whether their workers have been apprehended by Immigration and Customs Enforcement or whether they have simply fled the area out of fear of apprehension. Whatever the cause, the result is our farms are being paralyzed.

It is worth noting that the farmers I have spoken with are trying in good faith to obey the law. They get labor referrals from the New York State Department of Labor. They inspect work documents to ensure that they have a legal workforce. Our farmers are on the losing end of a broken system, and it is up to us to fix it.

For several years, a broad, bipartisan coalition of Senators has advocated for passage of the Agricultural Job Opportunities, Benefits, and Security Act, AgJOBS, and other legislative reforms that would provide our farmers with the long overdue relief they need to maintain a workforce.

The AgJOBS bill would not only expand the current H-2A program, it would also modernize and streamline its procedures, making it easier for our farmers to use. AgJOBS would also provide agricultural employers with a stable labor supply by giving many undocumented agricultural workers the chance to earn the right to become legal immigrants.

The AgJOBS compromise was reached after years of negotiations, and it represents a unique agreement between farmworker labor unions and agricultural employers. It has the support of a broad coalition of organiza-

tions, including major business trade associations, Latino community leaders, civil rights organizations, and religious groups.

Moreover, AgJOBS will promote our security by helping our Government identify persons inside the United States who are here without authorization. By encouraging farm workers to come out of the shadows, we can stand by family farms while refocusing our limited resources on real threats to our security.

I applaud the leadership of Senators CRAIG, KENNEDY, FEINSTEIN, and BOXER on this issue. I support the Craig and Feinstein amendments to this bill because we share a belief that we can tackle this crisis.

We are in this Chamber debating amendments that will serve our farm economy and serve to make our immigration system fairer and more workable. What I hope is that we can put politics aside and have a vote, up or down, yes or no. We owe it to our farmers, workers, and consumers to pass a bill that will help save our farms and agricultural industry.

Mr. LIEBERMAN. Mr. President, with so many important questions facing this Senate, and so little time left before we adjourn before the fall elections, I am dismayed that we are considering this so-called Secure Fence Act.

I say this as a supporter of the bipartisan comprehensive immigration reform we passed in May.

I say this as one of many who followed the leadership of Senators FRIST and REID, SPECTER and LEAHY, MCCAIN and KENNEDY, when 62 Senators voted for true reform legislation.

And now look where we are. After a great success, the Senate is now considering abandoning that truly comprehensive and bipartisan solution to a festering national problem and replacing it with an incomplete, ineffective response to our broken immigration system.

How did we come to such a low point this fall, after such promise this spring? I will tell you how. The opponents of reform obstructed and delayed. They refused to enter into a conference—even to discuss the possibility of reconciling House and Senate legislation.

Instead we watched the opponents of reform roll out a farcical road show of hearings designed to distort the facts, confuse the issues and roil the waters to create a national anxiety that need not exist.

With that out of the way, these same obstructionists have now reintroduced large portions of the punitive and ineffective House legislation the Senate already rejected earlier this year. Without deliberation or debate they are attempting to add their measures onto appropriations legislation already in conference—contradicting the views of a majority of Senators.

One of those measures sent from the House is this legislation to build fences

across specific sections of our southern border. The cost of these fences is conservatively estimated at \$2.2 billion but could easily double. And for this price America will be no more secure, its borders no more protected, and illegal immigration still out of control.

As the ranking Democrat on the Homeland Security and Governmental Affairs Committee, I am more focused on protecting Americans from harm than I am on any other issue. Effective border security is a vital national priority—not just to stop the flow of illegal immigration into this country, but also to keep terrorists and criminals from entering the U.S. through our airports and seaports, and across our land borders. We will continue to push for better border security, but this is not the way to do it.

The money spent on this bill could be used in much more effective ways to bolster our borders and strengthen our security. In fact, Congress has already significantly expanded funding for border security—for Border Patrol officers, detention beds, and new equipment and technology.

This year the Senate already provided the Department with funds to build sections of fence where it makes a difference—in heavily populated areas. But an additional few hundred miles of fence along small portions of our vast desert border will do virtually nothing to stop illegal immigration.

Building a few more sections of fence and saying we have solved the problem of illegal immigration doesn't make sense.

The President said it himself in a speech days before the Senate passed its immigration bill in May.

He said:

An immigration reform bill needs to be comprehensive, because all elements of this problem must be addressed together, or none of them will be solved at all.

That is what the Senate did. And we are on the verge of losing this historic opportunity to address this border challenge the American people expect us to fix.

Let's remind ourselves of what is contained in the Senate's immigration bill—and let's be proud of our work.

The Senate legislation authorized extensive enhancements of border security and immigration enforcement—many more Border Patrol officers, immigration agents, detention beds, new technologies, and new legal authorities.

The Senate bill cracks down on unscrupulous employers who would hire and exploit undocumented workers, by creating verification systems that would leave those employers no excuse for hiring the undocumented and punish them if they do.

But what made the Senate bill so forward looking was our bipartisan decision that an enforcement-only bill would not solve the problem of illegal immigration.

To control future immigration, we also created a guest worker program

that will channel future immigrants into legal avenues, where they will be screened to make sure they pose no threat to public safety and will not take jobs from American workers.

And for immigration reform to work we had to squarely face the fact that there are approximately 11 million undocumented immigrants already working in the United States. Many have lived here for years and have children who were born in this country and are American citizens.

We wisely decided that criminalizing these 11 million people was not going to happen. We couldn't jail that many people. We couldn't deport that many people.

We knew that the vast majority of undocumented immigrants living in this country came here to work hard, support their families, pay their taxes and obey the law.

Those are the kind of people we want here.

Yes, they are here illegally and that can't be treated lightly. And we didn't. The Senate bill does not offer amnesty or a free pass to anyone. If you want to stay here, you have to earn it.

Under the comprehensive, bipartisan Senate bill, undocumented immigrants who have been present in the U.S. for at least 5 years would be able to apply for a work visa lasting 6 years. They would also pay thousands of dollars in fines, clear background checks, and must remain gainfully employed and lawabiding.

They would go to the back of the line behind those already waiting for their applications to be judged.

After 6 years of working in the U.S. on a temporary visa, an immigrant could apply for permanent residency—a process that takes 5 years—provided he or she paid an additional fee, proved payment of taxes and could show knowledge of English and United States civics.

Only after a combined period of 11 years could the immigrant apply for U.S. citizenship.

Those who have been here between 2 to 5 years would have to apply through a stricter guest worker program, and would have to wait even longer before they could win legal residency.

We should have rolled up our sleeves long ago to pass realistic and compassionate immigration reform. And the Senate finally has. But the House has shirked its responsibilities with its enforcement-only focus.

Now, instead of doing our constitutional duty and hammering out our differences, congressional leadership has declared that reform is dead for this year and instead says the best we can do is build fences in the desert and create a mirage of security.

This is not sensible or right. But we must not give up. We must fight—and I will continue to fight—for true reform.

We must do the job the American people sent us here to do—solve the tough problems without falling into divisive, partisan posturing.

That is why I hope and expect that we will be allowed to offer true immigration reform amendments to this bill. If we are not allowed to offer immigration reform amendments, I will oppose cloture on this bill, and I hope all my colleagues who support reform will do the same.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I rise to speak about the pending bill before S. 6061, the Secure Fence Act of 2006. This bill, which was approved the House of Representatives last week, would require the Department of Homeland Security to build a 700-mile wall on the United States-Mexican border.

The bill goes further. The bill also provides that we shall start a study as to whether to build a similar wall on our borders with Canada. That, of course, is a much longer border and a challenge which has not really been thought through. The northern border study is part of the bill, along with this new 700-mile wall, or fence, being discussed.

Earlier this year, the Senate spent the better part of 3 months debating immigration. The process began in the Judiciary Committee, on which I serve, in early May. We had a series of substantive debates in which we considered dozens of amendments, including several maritime committee meetings on very contentious issues. At the end of the process, we approved a tough, comprehensive bill with a strong bipartisan vote. There was a similar process on the floor of the Senate.

We debated the immigration bill for 1 month. We had over 30 rollcall votes on amendments. It is rare for Congress to devote that much time and energy to one bill. I think that was reflected in the bipartisan bill that we approved. It is far from perfect. It was a compromise. There are sections in that bill I don't support. I voted for it because I thought it was the best effort we could make at that moment to move this process forward.

The Senate bill takes a comprehensive approach that is tough but fair.

First, we deal with enforcement by improving our border security by increasing manpower and increasing new technology and devising new means to stop the flow of illegal immigrants into America. We would crack down, as well, on employers.

Understand that the magnet which draws those who illegally immigrate to the United States is the opportunity for a better life through work. For most of these people, they come here to take jobs all across our country. I have seen them in my home State of Illinois

and Chicago. It is hard to visit a restaurant or hotel without seeing many people there who are working very hard for long hours at low pay, and many of them are undocumented.

We believe that if you are really going to have enforcement work, it isn't just a matter of stopping them at the border; it is a matter of drying up the magnet that draws them: the employment, those who would employ undocumented people. Our bill speaks to that.

The President has said that he supports this concept. I agree with him. We need a tamper-proof ID so that those presenting themselves for employment are clearly identified. Currently, a person shows up with a name, a phony Social Security number, and goes to work. That day has to end.

If you are talking about enforcement, it is not just a matter of what happens on that border—it is a matter of what happens in the workplace in New York, in Chicago, in Los Angeles, and all across America.

This bill which was sent to us by the House does not address the employer sanctions. We know what has happened under the Bush administration. It is rare if ever that an employer is held accountable for hiring illegal aliens. Unless and until we can engage the employment issue with the border security issue, we are going to have a difficult time controlling the flow of illegal immigration.

This bill talks about a fence. It is not the first time it has been brought up. In the comprehensive immigration bill which we passed, there was a provision for constructing a 370-mile, triple-layered fence and 500 miles of vehicle barriers along the southwest border. I question whether this is going to work. I have my doubts.

Consider just the obvious. Our southern border is more than 2,000 miles long, and we are building 700 miles of fencing or barriers. I have to say that leaves a lot of area uncovered. I guess it is not a leap of imagination to believe that people will find a way to go around this wall, around this fence, or under it. It is going to happen. I think to place all of our confidence in this sort of basic barrier may go too far.

But the provision was in our bill. It was an enforcement provision for the border which included 370 miles of triple-layered fence and 500 miles of vehicle barriers.

Then, on August 2, the Senate appropriated the money to build it, \$1.8 billion for fencing and barriers authorized by the Senate bill. The measure was approved on a strong bipartisan vote of 94 to 3.

Despite my scepticism about the fence, my belief was that this moves us forward. If this fence moves us forward in the debate about comprehensive immigration, I am going to join in that effort even though I start with scepticism about whether this is really going to do everything we are told.

So we are dealing with a fence and barrier that has already been authorized and funds have been appropriated by the Senate. Instead of going to conference with the House and Senate and sitting down and working out their differences between the two bills, the House of Representatives held hearings around the United States, hearings which were designed, I am afraid, to move this issue to the public forefront in not a very positive way; in some respects, a very negative way. In that effort, they came up with the inspiration for a new bill. In other words, they walked away from their earlier bill which dealt with immigration enforcement in very harsh terms, saying that those who were here illegally would be deemed felons, aggravated felons under Federal law, and anyone who helped them would also be charged with the crime.

Now they are off on a new approach—this so-called 700-mile fence approach. It is hard to keep track of what is going on in the House of Representatives when it comes to immigration. It changes almost on daily or weekly bases.

Before they will consider sitting down with the Senate and working out an agreement on a bill, they send us a new bill.

That is what has happened here. I wonder why at a time when we are facing so many serious issues in this country we are engaged in such political posturing when it comes to an issue of this importance.

Wouldn't it have been better for us to spend this week, instead of wasting and burning off the hours on the secure fence bill—the second House immigration bill—focus on a national energy policy, talk about ways that we can reduce our dependence on foreign oil so that Americans can have some security knowing that this economy will grow with good, reliable energy sources, and that we would not be subsidizing those who send oil to the United States and then turn around and use the hundreds of millions of dollars we send to finance our enemies and terrorism?

This is not really about immigration. It is about something else. This is about an effort by the Republican leadership to find just the right issue for an election that is just a few weeks away.

This morning, the New York Times tells us that the American people, when asked, have a new low opinion of Congress. It has been 12 years or more since so few people had a positive view of their Congress. This morning, they reported that 25 percent of the American people have positive feelings about the Congress. When asked why, they said Congress is dominated by special interests; it is dominated by an agenda that has no importance to the lives of most American people; and it seems like all they are doing is political posturing for the next campaign.

Many of those criticisms are sadly true.

This bill has been tied up for the last week and fits right into the category of political posturing.

The earlier immigration bill of the Republican-controlled House of Representatives, which would have made felons out of many hard-working people and would also have made felons out of many nurses and social workers and clergymen who were trying to help those who are here undocumented—that bill has been abandoned. Now they are trying to find a new bill, a new wedge issue for the November 7 election.

I believe we need stronger enforcement, but we need to be smart in the way we do it.

Let me give you some numbers which will give you an indication of what a smart approach might include.

In the last decade, we have doubled the number of Border Patrol agents that are at our southern border and other borders where people might cross, and they have spent eight times as many hours patrolling the border in the last 10 years and an 800-percent increase in the manhours spent patrolling our borders.

During the same period of time that this dramatic increase in manpower at the border has occurred, the number of undocumented immigrants coming into the United States has doubled.

As Attorney General Gonzales recently noted, "Some believe we should be focusing solely on border security." He said, "I don't think you can have true security without taking into account the 11 to 12 million who are already here." We need to know who they are . . . and take them out of the shadows.

Our bill, our comprehensive bill, sought to deal with this immigration issue in a sensible, smart, tough approach that will deal with enforcement as well as dealing with the reality of those who are here.

Now the House of Representatives, under the control of the President's party, has refused to sit down with the Senate and negotiate in a conference committee. They apparently prefer tough talk to solutions.

Now we have a 700-mile wall that is now being proposed. It keeps going up in the bidding from 300 to 700. Who knows what the next bill will be in preparation for this next election? That is what the bidding war is all about—who can come up with the longest wall.

If we want to solve the problem of illegal immigration, we have to secure our border, strengthen enforcement of our immigration laws, and address the situation of approximately 12 million undocumented people in our country. That is a comprehensive approach.

I hope we will have a chance, though I am doubtful, to offer amendments to this bill. It would be good to return to some of the elements of the earlier bill which had widespread support. Sixty-four Senators voted for the bill, the McCain-Kennedy comprehensive immi-

gration bill. I was one of them. We believe this was a good, bipartisan effort to deal with a very tough problem. We need that kind of comprehensive approach.

That bill included a provision which I will offer as an amendment to this bill, if given an opportunity. It is called the DREAM Act. This is a narrowly tailored, bipartisan measure I have introduced with Senators HAGEL and LUGAR, both Republican colleagues, who have joined me and many Democratic Senators in this bipartisan effort. This gives undocumented students the chance to become permanent residents if they came here as children, are long-term U.S. residents, have good moral character, no criminal record, will attend college or enlist in the military for at least 2 years.

Currently, our immigration laws prevent thousands of young people from pursuing their dreams and fully contributing to the Nation's future. They are honor roll students, star athletes, talented artists, valedictorians, aspiring teachers, doctors, scientists, and engineers. These young people have lived in this country for most of their lives. Their parents brought them here. It is the only home they know. They are assimilated and acculturated into American society. They are American in every sense of the word except for their technical legal status.

They have beaten the odds in their young lives. The high school dropout rate among undocumented immigrants is 50 percent, compared to 21 percent for legal immigrants and 11 percent for native-born Americans. So the odds are against these kids ever graduating from high school. These children we are talking about in this bill, the DREAM Act, have demonstrated the kind of determination and commitment that makes them successful students and points the way to the significant contributions they can make in their lives. These students are tomorrow's teachers, nurses, doctors, engineers, entrepreneurs. They have the opportunity to make America in the 21st century a success story if their talents can be part of that success.

The DREAM Act would help them. It is not an amnesty. It does not say automatically that they are going to be citizens. It is designed to assist only a select group of them, the very best of the best, young people who have done nothing wrong in their lives, good moral character, finished high school, who then enlist in our military for at least 2 years or pursue a college education. That gives them the chance to earn their way toward citizenship. This offers no incentive for undocumented immigrants to enter the country and requires the beneficiaries to have been in the country for at least 5 years when the bill is signed.

It would repeal a provision of Federal law that prevents individual States from granting in-state tuition rates to these students. It would not create any new tuition breaks. It would not force

States to offer in-state tuition to these students. It is a State decision. Each State decides. It would simply return to States the authority to make that decision.

It is not just the right thing to do, it is a good thing for America. It will allow a generation of immigrant students with great potential and ambition to contribute fully to America.

According to the Census Bureau, the average college graduate earns \$1 million more in her or his lifetime than the average high school dropout. This translates into increased taxes and reduced social welfare and criminal justice costs.

There is another way our country would benefit from these thousands of highly qualified, well-educated young people who are eager to be part of America. They want to serve, many of them, in our military. At a time when our military is lowering its standards due to serious recruiting shortfalls, we should not underestimate the significance of these young people as a national security asset.

The Department of Defense has shown increased interest in this bill, understanding that there is a talent pool of these young people who are technically undocumented but want to live in the United States and serve our country. They need that talent. We need that talent as a nation.

On July 10, the Senate Committee on Armed Services held a hearing on the contributions of immigrants to the military. David Chu, the Under Secretary of Defense for Personnel and Readiness, said the following:

There are an estimated 50,000 to 65,000 undocumented alien young adults who enter the United States at an early age and graduate from high school each year, many of whom are bright, energetic and potentially interested in military service. They include many who have participated in high school Junior ROTC programs. Under current law, these people are not eligible to enlist in the military. If their parents are undocumented or in immigration limbo, most of these young people have no mechanism to obtain legal residency even if they have lived most of their lives here. Yet many of these young people may wish to join the military, and have the attributes needed—education, aptitude, fitness and moral qualifications. In fact, many are High School Diploma Graduates, and may have fluent language skills—both in English and their native language . . . the DREAM Act would provide these young people the opportunity of serving the United States in uniform.

If we are talking about making America more secure safe, why would we turn our backs on the opportunity for these young people who came to America at an early age, who have beaten the odds by graduating from high school, who have good moral character and want to be part of our future, why would we turn down their opportunity to serve in our military?

The DREAM Act is supported by a broad coalition of the Senate, by religious leaders, advocates across the country, and educators across the political spectrum. Any real and com-

prehensive solution to the problem of illegal immigration must include the DREAM Act.

The last point I make is this: We are asked regularly here to expand something called an H-1B visa. An H-1B visa is a special visa given to foreigners to come to the United States to work because we understand that in many businesses and many places where people work—hospitals and schools and the like—there are specialties which we need more of.

I can recall Bill Gates coming to meet me in my office. Of course, his success at Microsoft is legendary. He talked about the need for computer engineers and how we had to import these engineers from foreign countries to meet the need in the United States. He challenged me. He said: If you will not allow me to bring the computer engineers in, I may have to move my production offshore, and I don't want to do that.

That is an interesting dilemma. Now put it in the context of this conversation. Why would we tell these young people, who have beaten the odds and shown such great potential, to leave America at this moment and then turn around in the next breath and say we are going to open the gates of America for other foreigners to come in and make our economy stronger? Why aren't we using these young people as a resource for our future? They have been here. They have lived here for a long period of time. They understand America. They are acculturated to America, and they want to make America better.

Instead of looking overseas at how we can lure more people in to strengthen our economy, we need only look right here at home. As Mr. Chu, from the Department of Defense, said there are 50,000 to 65,000 of these students each year. Why would we give up on them when they can be not only tomorrow's soldiers, marines, sailors, and airmen, but they can be tomorrow's doctors, scientists, and engineers?

If given the opportunity, and I certainly hope I will on this bill, I will offer the DREAM Act. I want my colleagues to join me on a bipartisan basis.

I walk around in the city of Chicago and other places in my State, and a number of young people who would be benefited by this bill come up to me. They tell me stories which are inspiring in one respect and heartbreaking in another—inspiring because some of them, with no help, no financial aid, have made it through college. One of them, a young man I continue to follow with great anticipation, is now working on a master's degree. He wants to go into medical research. He is good. He is a great scientist, a young scientist who wants to make this a better world. He is one of these undocumented kids, now a young man. Why would we give up on him?

These high school students who have worked so hard in neighborhoods and

communities where it is very tough to succeed, they turn their backs on crime, drugs, and all the temptations out there and are graduating at the top of their class, they come to me and say: Senator, I want to be an American; I want to have a chance to make this a better country. This is my home. They ask me: When are you going to pass the DREAM Act? I come back here and think: What have I done lately to help these young people?

We can do something. It is not for me; it is not for the Senate; it is for this country. Let's take this great resource and let's use it for our benefit as a nation. We will be a stronger and better nation if we do.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

The question is on agreeing to the motion to proceed to H.R. 6061.

The motion was agreed to.

The PRESIDING OFFICER. The Senate will now proceed to the consideration of H.R. 6061, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 6061) to establish operational control over the international land and maritime borders of the United States.

AMENDMENT NO. 5031

Mr. FRIST. Mr. President, I send an amendment to the bill to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee (Mr. FRIST) proposes an amendment numbered 5031.

At the end of the bill, add the following:

This Act shall become effective 2 days after the date of enactment.

Mr. FRIST. Mr. President, I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 5032 TO AMENDMENT NO. 5031

Mr. FRIST. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee (Mr. FRIST) proposes an amendment numbered 5032 to amendment No. 5031.

Mr. FRIST. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 2, line 1 of the amendment, Strike "2 days" and insert "1 day".

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a